

**Amendment in the Nature of a Substitute**

**To H.R. 2123**

**Offered by Mr. Castle**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

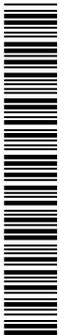
2 This Act may be cited as the “School Readiness Act  
3 of 2005”.

**4 SEC. 2. PURPOSE.**

5 Section 636 of the Head Start Act (42 U.S.C. 9831)  
6 is amended to read as follows:

**7 “SEC. 636. STATEMENT OF PURPOSE.**

8 “It is the purpose of this subchapter to promote  
9 school readiness by enhancing the development of low-in-  
10 come children, including development of cognitive abilities,  
11 through educational instruction in prereading skills,  
12 premathematics skills, language, and social and emotional  
13 development linked to school readiness and through the  
14 provision to low-income children and their families of  
15 health, educational, nutritional, social and other services  
16 that are determined, based on family needs assessments,  
17 to be necessary.”.



1 **SEC. 3. DEFINITIONS.**

2 Section 637 of the Head Start Act (42 U.S.C. 9832)  
3 is amended—

4 (1) in paragraph (17) by striking “, but for fis-  
5 cal years” and all that follows down to the period;

6 (2) by redesignating paragraphs (15), (16), and  
7 (17) as paragraphs (19), (20), and (21), respec-  
8 tively;

9 (3) by redesignating paragraphs (10) through  
10 (14) as paragraphs (13) through (17), respectively;

11 (4) by redesignating paragraphs (3) through  
12 (9) as paragraphs (5) through (11), respectively;

13 (5) by redesignating paragraph (2) as para-  
14 graph (3);

15 (6) by inserting after paragraph (1) the fol-  
16 lowing:

17 “(2) The term ‘deficiency’ means—

18 “(A) failure of a Head Start agency in an  
19 area of performance that the Secretary deter-  
20 mines involves—

21 “(i) a threat to the health, safety, or  
22 civil rights of children or staff;

23 “(ii) a denial to parents of the exer-  
24 cise of their full roles and responsibilities  
25 related to program governance;



1           “(iii) a systemic failure to perform the  
2 requirements of section 641A(a), as deter-  
3 mined by the Secretary;

4           “(iv) the misuse of funds received  
5 under this subchapter;

6           “(v) loss of legal status (as deter-  
7 mined by the Secretary) or financial viabil-  
8 ity, loss of permits, debarment from receiv-  
9 ing Federal grants or contracts, or the im-  
10 proper use of Federal funds; or

11           “(vi) failure to meet any other Fed-  
12 eral or State requirement;

13           “(B) failure of the board of directors of a  
14 Head Start agency to fully exercise its legal and  
15 fiduciary responsibilities;

16           “(C) failure of a Head Start agency to  
17 meet the administrative requirements of section  
18 644(b); or

19           “(D) failure of a Head Start agency to  
20 meet the integration requirements of  
21 642B(a).”;

22           (7) by inserting after paragraph (3), as so re-  
23 designated, the following:

24           “(4) The term ‘eligible entities’ means an insti-  
25 tution of higher education or other agency with ex-



1       pertise in delivering training in early childhood de-  
2       velopment, family support, and other assistance de-  
3       signed to improve the quality of early childhood edu-  
4       cation programs.”;

5               (8) by inserting after paragraph (11), as so re-  
6       designated, the following:

7               “(12) The term ‘homeless children’ has the  
8       meaning given such term in subtitle B of title VII  
9       of the McKinney-Vento Homeless Assistance Act (42  
10      U.S.C. 11431–11435).”;

11              (9) by inserting after paragraph (17), as so re-  
12      designated, the following:

13              “(18) PROFESSIONAL DEVELOPMENT.—The  
14      term ‘professional development’ includes activities  
15      that—

16                      “(A) provide teachers with the content  
17                      knowledge and teaching strategies needed to  
18                      provide effective instruction in prereading,  
19                      premathematics, cognitive skills, and social and  
20                      emotional development linked to school readi-  
21                      ness;

22                      “(B) assist teachers in meeting the profes-  
23                      sional requirements in section 648A(a)(1);

24                      “(C) improve classroom management skills;



1           “(D) are high quality, sustained, intensive,  
2           and classroom-focused in order to have a posi-  
3           tive and lasting impact on classroom instruction  
4           and the teacher’s performance in the classroom;

5           “(E) are not 1-day or short-term work-  
6           shops or conferences;

7           “(F) assist teachers and staff in increasing  
8           their knowledge and skills in program adminis-  
9           tration, program quality, and the provision of  
10          services and instruction in a manner that im-  
11          proves service delivery to eligible children and  
12          families;

13          “(G) support the recruiting, hiring, and  
14          training of teachers that meet the requirements  
15          of section 648A(a)(2);

16          “(H) are part of a sustained effort to im-  
17          prove overall program quality and outcomes for  
18          eligible children and families;

19          “(I) advance teacher understanding of ef-  
20          fective instructional strategies that are—

21                 “(i) based on scientifically based re-  
22                 search; and

23                 “(ii) strategies for improving school  
24                 readiness or substantially increasing the  
25                 knowledge and teaching skills of teachers;



1                   “(J) are, where applicable, aligned with  
2 and directly related to—

3                   “(i) State academic content stand-  
4 ards, student academic achievement stand-  
5 ards, and assessments; and

6                   “(ii) the curricula and programs tied  
7 to the standards described in section  
8 641A(a)(1);

9                   “(K) are developed with extensive partici-  
10 pation of administrators and teachers from  
11 Head Start programs;

12                   “(L) are appropriate for the children being  
13 served;

14                   “(M) are designed to give teachers of non-  
15 English language background children, and  
16 other teachers and instructional staff, the  
17 knowledge and skills to provide instruction and  
18 appropriate language and support services to  
19 those children;

20                   “(N) as a whole, are regularly evaluated  
21 for their impact on increased staff effectiveness  
22 and improved ability of teachers to support  
23 learning and increase participating children’s  
24 school readiness, with the findings of the eval-



1           uations used to improve the quality of profes-  
2           sional development;”.

3           “(O) provide instruction in methods of  
4           teaching children with special needs; and

5           “(P) include instruction in ways that Head  
6           Start personnel may work more effectively with  
7           parents.”, and

8           (10) by adding at the end the following:

9           “(22) The term ‘unresolved area of noncompli-  
10          ance’ means a failure to correct a noncompliance  
11          item within 90 days, or within such additional time  
12          (if any) authorized by the Secretary, after receiving  
13          from the Secretary notice of such noncompliance  
14          item.”.

15   **SEC. 4. FINANCIAL ASSISTANCE FOR HEAD START PRO-**  
16                                   **GRAMS.**

17          Section 638 of the Head Start Act (42 U.S.C. 9833)  
18   is amended by inserting “for a period of 5 years” after  
19   “provide financial assistance to such agency”.

20   **SEC. 5. AUTHORIZATION.**

21          Section 639 of the Head Start Act (42 U.S.C. 9834)  
22   is amended to read as follows:

23   **“SEC. 639. AUTHORIZATION OF APPROPRIATIONS.**

24          “(a) IN GENERAL.—There are authorized to be ap-  
25   propriated for carrying out the provisions of this sub-



1 chapter \$6,899,000,000 for the fiscal year 2006 and such  
2 sums as may be necessary for the fiscal years 2007  
3 through 2011.

4 “(b) SPECIFIC PROGRAMS.—From the amount ap-  
5 propriated under subsection (a), the Secretary shall make  
6 available not more than \$20,000,000 for fiscal year 2006,  
7 and such sums as may be necessary for fiscal years 2007  
8 through 2011 to carry out such other research, dem-  
9 onstration, and evaluation activities, including longitu-  
10 dinal studies, under section 649, of which not more than  
11 \$7,000,000 for each of the fiscal years 2006 through 2011  
12 to carry out impact studies under section 649(g).”.

13 **SEC. 6. ALLOTMENT OF FUNDS; LIMITATIONS ON ASSIST-**  
14 **ANCE.**

15 (a) ALLOTMENTS.—Section 640(a) of the Head Start  
16 Act (42 U.S.C. 9835(a)) is amended—

17 (1) in paragraph (2)—

18 “(A) Indian Head Start programs, services  
19 for children with disabilities, and migrant and  
20 seasonal Head Start programs, except that—

21 “(i) there shall be made available for  
22 each fiscal year for use by Indian Head  
23 Start programs and by migrant and sea-  
24 sonal Head Start programs, on a nation-  
25 wide basis, not less than the amount that



1 was obligated for use by Indian Head  
2 Start programs and by migrant and sea-  
3 sonal Head Start programs for fiscal year  
4 2005; and

5 “(ii) migrant and seasonal Head Start  
6 programs shall receive at least 5 percent of  
7 the amount reserved under section  
8 640(a)(2) for such fiscal year until such  
9 time as the Secretary can make funding  
10 decisions to ensure access to funding for  
11 eligible children of migrant and seasonal  
12 farmworkers is comparable to other eligible  
13 children based on the data collected and  
14 reported pursuant to section 648(j);”;

15 (B) by amending subparagraph (B) to read  
16 as follows:

17 “(B) payments, subject to paragraph (7) to  
18 Guam, American Samoa, the Commonwealth of the  
19 Northern Mariana Islands, and the Virgin Islands of  
20 the United States;”;

21 (C) by amending (C) to read as follows:

22 “(C) training and technical assistance activities  
23 to foster program quality and management improve-  
24 ment as described in section 648, in an amount for



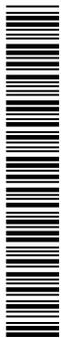
1 each fiscal year which is equal to 2 percent of the  
2 amount appropriated for such fiscal year, of which—

3 “(i) not less than 50 percent shall be made  
4 available to local Head Start agencies to make  
5 program improvements identified by such agen-  
6 cies and comply with the standards described in  
7 section 641A(a)(1), of which not less than 50  
8 percent shall be used to comply with the stand-  
9 ards described in section 641A(a)(1)(B) and for  
10 the uses described in clauses (iii), (iv), and (vii)  
11 of subsection (a)(3)(B);

12 “(ii) not less than 20 percent shall be  
13 made available to support a State system of  
14 early childhood education training and technical  
15 assistance, including the State Early Learning  
16 Council described in section 642B(b);

17 “(iii) not less than 30 percent shall be  
18 made available to the Secretary to assist local  
19 programs in meeting the standards described in  
20 section 641A(a)(1) and shall be allocated to ad-  
21 dress program weaknesses identified by moni-  
22 toring activities conducted by the Secretary  
23 under section 641A(c); and

24 “(iv) not less than \$3,000,000 of the  
25 amount in clause (iii) appropriated for such fis-



1 cal year shall be made available to carry out ac-  
2 tivities described in section 648(d)(4);” and

3 (D) by striking the last sentence.

4 (2) in paragraph (3)—

5 (A) in subparagraph (A)—

6 (i) in clause (i)(I) by striking “1999”  
7 and all that follows down to the semicolon  
8 and inserting “2006 through 2011”; and

9 (ii) by adding at the end the fol-  
10 lowing:

11 “(iii) After the reservation of amounts under para-  
12 graph (2) and the 60 percent amount referred to in sub-  
13 paragraph (A) of this paragraph, a portion of the remain-  
14 ing funds shall be made available—

15 “(I) to expand services to underserved popu-  
16 lations, such as children receiving services under  
17 Early Head Start programs and under migrant and  
18 seasonal Head Start programs; and

19 “(II) to increase funding to grantees with full  
20 enrollment and whose aggregate amount of financial  
21 assistance provides funding per child that is below  
22 the national average.”;

23 (B) by amending subparagraph (B) to read  
24 as follows:



1       “(B) Funds reserved under this paragraph (in this  
2 paragraph referred to as ‘quality improvement funds’)  
3 shall be used to accomplish the following goals:

4           “(i) Ensuring that Head Start programs meet  
5 or exceed standards pursuant to section 641A(a)(1).

6           “(ii) Ensuring that such programs have ade-  
7 quate numbers of qualified staff, and that such staff  
8 is furnished adequate training, including developing  
9 skills to promote the development of language skills,  
10 premathematic skills, and prereading in young chil-  
11 dren and in working with children with non-English  
12 language background, children referred by child wel-  
13 fare services, and children with disabilities, when ap-  
14 propriate.

15           “(iii) Developing and financing the salary scales  
16 described under section 644(a)(3) and section 653,  
17 in order to ensure that salary levels and benefits are  
18 adequate to attract and retain qualified staff for  
19 such programs.

20           “(iv) Using salary increases—

21           “(I) to assist with the implementation of  
22 quality programs and improve staff qualifica-  
23 tions;

24           “(II) to ensure that staff can promote the  
25 language skills and literacy growth of children



1 and can provide children with a variety of skills  
2 that have been identified, through scientifically  
3 based early reading research, as predictive of  
4 later reading achievement; and

5 “(III) to encourage the staff to continually  
6 improve their skills and expertise by informing  
7 the staff of the availability of Federal and State  
8 incentive and loan forgiveness programs for  
9 professional development.

10 “(v) Improving community-wide strategic plan-  
11 ning and needs assessments for such programs and  
12 collaboration efforts for such programs, including  
13 collaborations to increase program participation by  
14 underserved populations of eligible children.

15 “(vi) Ensuring that the physical environments  
16 of Head Start programs are conducive to providing  
17 effective program services to children and families,  
18 and are accessible to children with disabilities and  
19 their parents.

20 “(vii) Ensuring that such programs have quali-  
21 fied staff that can promote language skills and lit-  
22 eracy growth of children and that can provide chil-  
23 dren with a variety of skills that have been identi-  
24 fied, through scientifically based reading research, as  
25 predictive of later reading achievement.



1           “(viii) Providing assistance to complete postsec-  
2           ondary course work including scholarships or other  
3           financial incentives, such as differential and merit  
4           pay, to enable Head Start teachers to improve com-  
5           petencies and the resulting child outcomes.

6           “(ix) Making such other improvements in the  
7           quality of such programs as the Secretary may des-  
8           ignate.

9           “(x) Promoting the regular attendance and sta-  
10          bility of all Head Start children with particular at-  
11          tention to highly mobile children, including children  
12          from migrant and seasonal farm worker families (if  
13          appropriate), homeless children, and children in fos-  
14          ter care.”; and

15                   (C) by amending subparagraph (C) to read  
16                   as follows:

17          “(C) Quality improvement funds shall be used to  
18          carry out the activities in any or all of the following  
19          clauses:

20                   “(i)(I) Not less than one-half of the amount re-  
21          served under this paragraph, to improve the com-  
22          pensation (including benefits) of classroom teachers  
23          and other staff of Head Start agencies providing in-  
24          structional services and thereby enhancing recruit-  
25          ment and retention of qualified staff, including re-



1       cruitment and retention pursuant to achieving the  
2       requirements set forth in section 648A(a). The ex-  
3       penditure of funds under this clause shall be subject  
4       to section 653. Salary increases, in excess of cost-of-  
5       living allowance, provided with such funds shall be  
6       subject to the specific standards governing salaries  
7       and salary increases established pursuant to section  
8       644(a).

9               “(II) If a Head Start agency certifies to the  
10       Secretary for such fiscal year that part of the funds  
11       set aside under subclause (I) to improve wages can-  
12       not be expended by such agency to improve wages  
13       because of the operation of section 653, then such  
14       agency may expend such part for any of the uses  
15       specified in this subparagraph (other than wages).

16               “(III) From the remainder of the amount re-  
17       served under this paragraph (after the Secretary  
18       carries out subclause (I)), the Secretary may carry  
19       out the activities described in clauses (ii) through  
20       (vii).

21               “(ii) To train classroom teachers and other  
22       staff to meet the education standards described in  
23       section 641A(a)(1)(B), through activities—

24                       “(I) to promote children’s language and  
25                       prereading growth, through techniques identi-

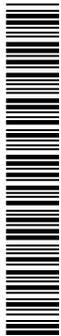


1           fied through scientifically based reading re-  
2           search;

3           “(II) to promote the acquisition of the  
4           English language for non-English background  
5           children and families, while ensuring that chil-  
6           dren are making meaningful progress in attain-  
7           ing the knowledge, skills, abilities, and develop-  
8           ment described in section 641A(a)(1)(B);

9           “(III) to foster children’s school readiness  
10          through activities described in section  
11          648A(a)(1); and

12          “(IV) to provide education and training  
13          necessary to improve the qualifications of Head  
14          Start staff, particularly assistance to enable  
15          more instructors to be fully competent and to  
16          meet the degree requirements under section  
17          648A(a)(2)(A), and to support staff training,  
18          child counseling, and other services necessary to  
19          address the challenges of children participating  
20          in Head Start programs, including children  
21          from immigrant, refugee, and asylee families,  
22          children from families in crisis, children who ex-  
23          perience chronic violence in their communities,  
24          and children who experience substance abuse in  
25          their families.



1           “(iii) To employ additional Head Start staff, in-  
2           cluding staff necessary to reduce the child-staff  
3           ratio, lead instructors who meet the qualifications of  
4           section 648A(a) and staff necessary to coordinate a  
5           Head Start program with other services available to  
6           children participating in such program and to their  
7           families.

8           “(iv) To pay costs incurred by Head Start  
9           agencies to purchase insurance (other than employee  
10          benefits) and thereby maintain or expand Head  
11          Start services.

12          “(v) To supplement amounts provided under  
13          paragraph (2)(C) to provide training necessary to  
14          improve the qualifications of the staff of the Head  
15          Start agencies, and to support staff training, child  
16          counseling, and other services necessary to address  
17          the problems of children participating in Head Start  
18          programs, including children from dysfunctional  
19          families, children who experience chronic violence in  
20          their communities, and children who experience sub-  
21          stance abuse in their families.

22          “(vi) To conduct outreach to homeless families  
23          in an effort to increase the program participation of  
24          homeless children.



1           “(vii) To conduct outreach to migrant and sea-  
2           sonal farm-working families and families with chil-  
3           dren with a limited English proficiency.”;

4           “(viii) Such other activities as the Secretary  
5           may designate.

6           (3) in paragraph (4) by striking “1998” in sub-  
7           paragraph (A) and inserting “2005”;

8           (4) in paragraph (5) by amending subpara-  
9           graphs (A), (B), and (C) to read as follows:

10          “(A) From amounts reserved and allotted pursuant  
11 to paragraph (4) and the amounts reserved in Section  
12 640(a)(2)(C)(ii), the Secretary shall award the grants de-  
13 scribed in Section 642B(b).

14          “(B) From the reserved sums in paragraph (4) the  
15 Secretary shall award a collaboration grant to any State  
16 that submits a written request outlining why it is unable  
17 to comply with Section 642B(b). Such grant shall be equal  
18 to the amount the State received under this paragraph for  
19 such activity for fiscal year 2005. Such grant shall be used  
20 by the State to facilitate collaboration regarding activities  
21 carried out in the State under this subchapter, and other  
22 activities carried out in and by the State that are designed  
23 to benefit low-income children and families and to encour-  
24 age Head Start agencies to collaborate with entities in-  
25 volved in State and local planning processes (including the



1 State lead agency administering the financial assistance  
2 under the Child Care and Development Block Grant Act  
3 of 1990 and the entities that provide child care resource  
4 and referral services in the State) in order to better meet  
5 the needs of low-income children and their families.

6 “(C) In order to improve results for children, a State  
7 that receives a grant under subparagraph (B) shall—

8 “(i) appoint an individual to serve as the State  
9 Director of Collaboration between—

10 “(I) the appropriate regional office of the  
11 Administration for Children and Families;

12 “(II) the State educational agency;

13 “(III) the State Department of Health and  
14 Human Services;

15 “(IV) the State agency that oversees child  
16 care;

17 “(V) the State agency that assists children  
18 with developmental disabilities;

19 “(VI) the State Head Start Association;

20 “(VII) the State network of child care re-  
21 source and referral agencies;

22 “(VIII) local educational agencies;

23 “(IX) community-based and faith-based or-  
24 ganizations;



1           “(X) representatives of migrant and sea-  
2           sonal Head Start programs located in the  
3           State;

4           “(XI) representatives of Indian Head Start  
5           programs located in the State;

6           “(XII) State and local providers of early  
7           childhood education and child care, including  
8           providers with experience serving children with  
9           limited English proficiency; and

10          “(XIII) other entities carrying out pro-  
11          grams serving low-income children and families  
12          in the State;

13          “(ii) ensure that the State Director of Collabo-  
14          ration holds a position with sufficient authority and  
15          access to ensure that the collaboration described in  
16          subparagraph (B) is effective and involves a range  
17          of State agencies;

18          “(iii) involve the entities described in section  
19          clause (i) to develop a strategic plan for the coordi-  
20          nated outreach to identify eligible children and im-  
21          plementation strategies based on a needs assessment  
22          conducted by the Office of the State Director of Col-  
23          laboration which shall include an assessment of the  
24          availability of high quality prekindergarten services  
25          for low-income children in the State. Such assess-



1       ment shall be completed within one year after the  
2       date of enactment of the ‘School Readiness Act of  
3       2005’ and be updated on an annual basis and shall  
4       be made available to the general public within the  
5       State;

6               “(iv) ensure that the collaboration described in  
7       subparagraph (B) involves coordination of Head  
8       Start services with health care, welfare, child care,  
9       child protective services, education, and community  
10      service activities, family literacy services, activities  
11      relating to children with disabilities (including co-  
12      ordination of services with those State officials who  
13      are responsible for administering part C and section  
14      619 of the Individuals with Disabilities Education  
15      Act), and services for homeless children (including  
16      coordination of services with the Office of Coordi-  
17      nator for Education of Homeless Children and  
18      Youth designated under section 722 (g)(1)(J)(ii) of  
19      the Kinney-Veto Homeless Assistance Act of 2001  
20      (42 U.S.C. 11432(g)(1)(J)(ii));

21              “(v) consult with the chief State school officer,  
22      local educational agencies, and representatives of  
23      local Head Start agencies and providers of early  
24      childhood education and care in unified planning re-  
25      garding early care and education services at both the



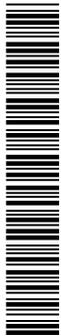
1 State and local levels, including collaborative efforts  
2 to develop school readiness standards; and

3 “(vi) consult with the chief State school officer,  
4 local educational agencies, State child care adminis-  
5 trators, State human services administrators, rep-  
6 resentatives of local child care resource and referral  
7 agencies, local early childhood councils, providers of  
8 early childhood education and care and other rel-  
9 evant State and local agencies, and representatives  
10 of the State Head Start Associations to plan for the  
11 provision of full-working-day, full calendar year early  
12 care and education services for eligible children with  
13 working parents who have a demonstrated need.”;

14 (C) in subparagraph (D)(i) by inserting  
15 “and providers of services supporting early  
16 childhood education and child care” after “As-  
17 sociations”; and

18 (D) by amending paragraph (6)(A) to read  
19 as follows:

20 “(A) From amounts reserved and allotted pursuant  
21 to paragraphs (2) and (4), the Secretary shall use, for  
22 grants for programs described in section 645A(a) of this  
23 subchapter, a portion of the combined total of such  
24 amounts equal to at least 10 percent for each of the fiscal  
25 years 2006 through 2011, of the amount appropriated



1 pursuant to section 639(a), except as provided in subpara-  
2 graph (B).”.

3 (b) SERVICE DELIVERY MODELS.—Section 640(f) of  
4 the Head Start Act (42 U.S.C. 9835(f)) is amended by  
5 inserting before the period at the end the following: “, in-  
6 cluding models that leverage the existing capacity and ca-  
7 pabilities of the delivery system of early childhood edu-  
8 cation and child care”;

9 (c) MAINTENANCE OF SERVICE LEVELS.—Section  
10 640(g)(2) of the Head Start Act (42 U.S.C. 9835(g)(2))  
11 is amended—

12 (1) by striking “For purposes of expanding  
13 Head Start programs, in” and inserting “in”;

14 (2) by amending subparagraph (C) to read as  
15 follows:

16 “(C) the extent to which the applicant has un-  
17 dertaken community-wide strategic planning and  
18 needs assessments involving other community orga-  
19 nizations and Federal, State, and local public agen-  
20 cies serving children and families (including organi-  
21 zations and agencies providing family support serv-  
22 ices and protective services to children and families  
23 and organizations serving families in whose homes  
24 English is not the language customarily spoken),  
25 and individuals, organizations, and public entities



1 serving children with disabilities and homeless chil-  
2 dren including the local educational agency liaison  
3 designated under section 722(g)(1)(J)(ii) of the  
4 McKinney-Veto Homeless Assistance Act (42 U.S.C.  
5 11432(g)(1)(J)(ii));”;

6 (3) in subparagraph (D) by striking “other  
7 local” and inserting “the State and local”;

8 (4) in subparagraph (E) by inserting “would  
9 like to participate but” after “community who”;

10 (5) in subparagraph (G)—

11 (A) by inserting “leverage the existing de-  
12 livery systems of such services and” after  
13 “manner that will”; and

14 (B) by striking “and” at the end;

15 (6) in subparagraph (H)—

16 (A) by inserting “, including the local edu-  
17 cational agency liaison designated under section  
18 722(g)(1)(J)(ii) of the McKinney-Vento Home-  
19 less Assistance Act (42 U.S.C.  
20 11432(g)(1)(J)(ii)),” after “community in-  
21 volved”;

22 (B) by striking “plans to coordinate” and  
23 inserting “successfully coordinated its activi-  
24 ties”; and



1 (C) by striking the period at the end and  
2 inserting “; and”; and

3 (7) by adding at the end the following:

4 “(I) the amount of funds used by such agency  
5 to pay administrative expenses and the amount of  
6 available funds received by such agency under this  
7 section to serve each enrolled child.”.

8 (d) VEHICLE SAFETY REQUIREMENTS.—Section  
9 640(i) of the Head Start Act (42 U.S.C. 9835(i)) is  
10 amended—

11 (1) by striking “(i) The” and inserting the fol-  
12 lowing:

13 “(i) TRANSPORTATION SAFETY.—

14 “(1) REGULATIONS.—The”; and

15 (2) by adding at the end the following:

16 “(2) WAIVER AUTHORITY.—

17 “(A) IN GENERAL.—The Secretary may  
18 waive for a period of up to one year the require-  
19 ments of regulations promulgated under para-  
20 graph (1) for one or more vehicles used by the  
21 agency or its designee in transporting children  
22 enrolled in a Head Start program or an Early  
23 Head Start program if—

24 “(i) such requirements pertain to  
25 child restraint systems and bus monitors;



1                   “(ii) the agency demonstrates that  
2                   compliance with such requirements will re-  
3                   sult in a significant disruption to the Head  
4                   Start program or the Early Head Start  
5                   program; and

6                   “(iii) is in the best interest of the  
7                   child.

8                   “(B) RENEWAL.—The Secretary may  
9                   renew a waiver under subparagraph (A)”.

10           (e) MIGRANT AND SEASONAL HEAD START PRO-  
11 GRAMS.—Section 640(l) of the Head Start Act (42 U.S.C.  
12 9835(l)) is amended—

13                   (1) by amending (3) to read as follows:

14                   “(3) In carrying out this subchapter, the Secretary  
15 shall continue the administrative arrangement at the Na-  
16 tional level for meeting the needs of Indian children and  
17 children of migrant and seasonal farmworkers and shall  
18 ensure that appropriate funding is provided to meet such  
19 needs, including training and technical assistance and the  
20 appointment of a national migrant and seasonal Head  
21 Start and Indian Head Start collaboration director.”; and

22                   (2) by adding at the end the following:

23                   “(4)(A) For the purposes of paragraph (3), the Sec-  
24 retary shall conduct an annual consultation in each af-  
25 fected Head Start region, with tribal governments oper-



1 ating Head Start programs and Early Head Start pro-  
2 grams.

3 “(B) The consultations shall be for the purpose of  
4 better meeting the needs of American Indian and Alaska  
5 Native children and families pertinent to subsections (a),  
6 (b), and (c) of section 641, taking into consideration fund-  
7 ing allocations, distribution formulas, and other issues af-  
8 fecting the delivery of Head Start services within tribal  
9 communities.

10 “(C) The Secretary shall publish a notification of the  
11 consultations in the Federal Register prior to conducting  
12 the consultations.

13 “(D) A detailed report of each consultation shall be  
14 prepared and made available, on a timely basis, to all trib-  
15 al governments receiving funds under this subchapter.”.

16 (f) ENROLLMENT OF HOMELESS CHILDREN.—Sec-  
17 tion 640 of the Head Start Act (42 U.S.C. 9835) is  
18 amended by adding at the end the following:

19 “(m) ENROLLMENT OF HOMELESS CHILDREN.—The  
20 Secretary shall by regulation prescribe policies and proce-  
21 dures to remove barriers to the enrollment and participa-  
22 tion of homeless children in Head Start programs. Such  
23 regulations shall require Head Start agencies—



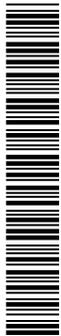
1           “(1) to implement policies and procedures to  
2           ensure that homeless children are identified and  
3           prioritized for enrollment;

4           “(2) to allow homeless families to apply to, en-  
5           roll in and attend Head Start programs while re-  
6           quired documents, such as proof of residency, immu-  
7           nization and other medical records, birth certificates  
8           and other documents, are obtained within a reason-  
9           able time frame; and

10           “(3) coordinate individual Head Start centers  
11           and programs with efforts to implement subtitle B  
12           of title VII of the McKinney-Vento Homeless Assist-  
13           ance Act (42 U.S.C. 11431–11435).

14           “(n) RULE OF CONSTRUCTION.—Nothing in this sub-  
15           chapter shall be construed to require a State to establish  
16           a program of early education for children in the State,  
17           to require any child to participate in a program of early  
18           education, to attend school, or to participate in any initial  
19           screening prior to participation in such program, except  
20           as provided under section 612(a)(3), (consistent with sec-  
21           tion 614(a)(1)(C)), of the Individuals with Disabilities  
22           Education Act.

23           “(o) MATERIALS.—All curricula and instructional  
24           materials funded under this subchapter shall be scientif-  
25           ically based and age appropriate. Parents shall have the



1 ability to inspect, upon request, any curricula or instruc-  
2 tional materials.”.

3 **SEC. 7. DESIGNATION OF AGENCIES.**

4 (a) **AUTHORITY TO DESIGNATE.**— Section 641(a) of  
5 the Head Start Act (42 U.S.C. 9836(a)) is amended to  
6 read as follows:

7 “(a) **AUTHORITY TO DESIGNATE.**—

8 “(1) **IN GENERAL.**—The Secretary is authorized  
9 to designate as a Head Start agency any local public  
10 or private nonprofit or for-profit agency within a  
11 State, including a community-based or faith-based  
12 organization that—

13 “(A) has power and authority to carry out  
14 the purpose of this subchapter and perform the  
15 functions set forth in section 642 within a  
16 State; and

17 “(B) is determined to be capable of plan-  
18 ning, conducting, administering, and evaluating,  
19 either directly or by other arrangements, a  
20 Head Start program.

21 “(2) **DESIGNATION REQUIREMENTS.**—In order  
22 to be designated as a Head Start agency and to re-  
23 ceive financial assistance under this subchapter, an  
24 entity described in paragraph (1) shall establish  
25 measurable objectives for improving the school readi-



1       ness of children participating in a program under  
2       this subchapter, including measurable objectives for  
3       meeting the performance standards described in sec-  
4       tion 641A and for—

5               “(A) educational instruction in prereading,  
6               premathematical, and language skills;

7               “(B) the provision of health, educational,  
8               nutritional, social, and other services related to  
9               school readiness standards; and

10              “(C) school readiness standards that are  
11              aligned with State-developed K-12 academic  
12              content standards.

13              “(3) ELIGIBILITY FOR SUBSEQUENT FINANCIAL  
14              ASSISTANCE.—In order to receive financial assist-  
15              ance under this subchapter subsequent to the initial  
16              financial assistance provided following the effective  
17              date of this subsection, an entity described in para-  
18              graph (1) shall demonstrate that the entity has met  
19              the measurable objectives described in paragraph  
20              (2);

21              “(4) MEASURING PROGRESS.—Progress in  
22              meeting such measurable objectives shall not be  
23              measured primarily or solely by the results of assess-  
24              ments.”



1 (b) PRIORITY IN DESIGNATION.—Section 641(c) of  
2 the Head Start Act (42 U.S.C. 9836(c)) is amended to  
3 read as follows:

4 “(c) CONSULTATION.—In the administration of this  
5 section, the Secretary shall, in consultation with the chief  
6 executive officer of the State involved, give priority in the  
7 designation of Head Start agencies to Head Start agencies  
8 that—

9 “(1) are receiving assistance under this sub-  
10 chapter on the effective date of this subsection;

11 “(2) meet or exceeds program and financial  
12 management requirements, standards described in  
13 section 641A(a)(1);

14 “(3) meet or exceed the results-based perform-  
15 ance measures developed by the Secretary under sec-  
16 tion 641A(a)(4);

17 “(4) have no unresolved area of noncompliance;

18 “(5) have not been deemed deficient;

19 “(6) employ qualified staff (including, in center-  
20 based programs, a teaching staff of whom at least  
21 50 percent have an associate, baccalaureate, or ad-  
22 vanced degree in early child education or a related  
23 field), except that an agency operating in an area  
24 with a school locale code of 7 or 8, as determined  
25 by the Secretary, Indian Head Start programs and



1 migrant and seasonal Head programs shall have 3  
2 years to meet the requirement of this paragraph as  
3 long as such programs demonstrate progress toward  
4 meeting such requirement;

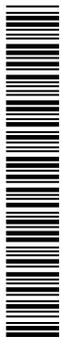
5 “(7) were not deemed by the Secretary as  
6 chronically under-enrolled at any time during the  
7 then most recent period for which financial assist-  
8 ance was provided;

9 “(8) utilize research-based curricula that are  
10 aligned with State-developed K-12 academic content  
11 standards;

12 “(9) demonstrate active partnerships with local  
13 educational agencies serving the same communities  
14 to facilitate smooth transitions to kindergarten;

15 “(10) actively implement a memorandum of un-  
16 derstanding described in section 642B(a) with any  
17 local educational agency within the service area and  
18 additional partnership agreements with organiza-  
19 tions that enhance the delivery of services to chil-  
20 dren;

21 “(11) demonstrate success in improving child  
22 outcomes across all domains of development, includ-  
23 ing measurable progress in language skills,  
24 prereading knowledge, and premathematics knowl-  
25 edge;



1           “(12) maintain classroom environments con-  
2           structive to early learning and future school success;

3           “(13) demonstrate strong parental involvement  
4           and activities to develop parent skills to support  
5           their children’s educational development and ability  
6           to participate effectively in decisions relating to the  
7           education of their children;

8           “(14) are overseen by a board described in sec-  
9           tion 642(b) that provides direction and actively over-  
10          sees all program activities;

11          “(15) document strong fiscal controls,  
12          including—

13                 “(A) the employment of well-qualified fis-  
14                 cal staff with a history of successful manage-  
15                 ment of a public or private organization;

16                 “(B) having no reportable findings with  
17                 applicable laws and regulations on all annual fi-  
18                 nancial audits performed since the most recent  
19                 designation;

20                 “(C) meeting or exceeding annual require-  
21                 ments for financial support under section  
22                 640(b); and

23                 “(D) maintaining total administrative costs  
24                 at or below 15 percent of total program costs;



1           “(16) are licensed to operate in accordance with  
2           all applicable State child care regulations;

3           “(17) conduct outreach activities to ensure that  
4           services are provided to the most at-risk families in  
5           the community;

6           “(18) have developed strong community part-  
7           nerships with public and private organizations, such  
8           as businesses, health, and social service providers;  
9           and

10           “(19) provide opportunities for ongoing profes-  
11           sional development.”.

12           (c) DESIGNATION WHEN NO ENTITY HAS PRI-  
13           ORITY.—Section 641(d) of the Head Start Act (43 U.S.C.  
14           9836(d)) is amended to read as follows:

15           “(d) DESIGNATION WHEN NO ENTITY HAS PRI-  
16           ORITY.—

17           “(1) IN GENERAL.—If no entity in a commu-  
18           nity is entitled to the priority specified in subsection  
19           (c), the Secretary shall, after conducting an open  
20           competition, designate for a 5-year period a Head  
21           Start agency from among qualified applicants in  
22           such community.”.

23           “(2) CONSIDERATIONS IN DESIGNATION.—In  
24           selecting from among qualified applicants for des-  
25           ignation as a Head Start agency, the Secretary shall



1 consider the effectiveness of each such applicant to  
2 provide Head Start services, based on—

3 “(A) any past performance of such appli-  
4 cant in providing services comparable to Head  
5 Start services, including how effectively such  
6 applicant provided such comparable services;

7 “(B) the plan of such applicant to provide  
8 comprehensive health, educational, nutritional,  
9 social, and other services needed to prepare  
10 children to succeed in school;

11 “(C) the capacity of such applicant to  
12 serve eligible children with scientifically based  
13 programs that promote the school readiness of  
14 children participating in the program;

15 “(D) the plan of such applicant to meet  
16 standards set forth in section 641A(a)(1), with  
17 particular attention to the standards set forth  
18 in subparagraphs (H) of such section;

19 “(E) the proposed budget and plan of such  
20 applicant to maintain strong fiscal controls and  
21 cost effective fiscal management;

22 “(F) the plan of such applicant to coordi-  
23 nate the Head Start program the applicant pro-  
24 poses to carry out with other educational pro-  
25 grams for young children, including—



1                   “(i) the Early Reading First and  
2                   Even Start programs under subparts 2  
3                   and 3 of part B of title I of the Elemen-  
4                   tary and Secondary Education Act of 1965  
5                   (20 U.S.C. 6371 et seq., 6381 et seq.);

6                   “(ii) programs under section 619 and  
7                   part C of the Individuals with Disabilities  
8                   Education Act (20 U.S.C. 1419, 1431 et  
9                   seq.);

10                   “(iii) State prekindergarten programs;

11                   “(iv) child care programs;

12                   “(v) the educational programs that  
13                   the children participating in the Head  
14                   Start program involved will enter at the  
15                   age of compulsory school attendance; and

16                   “(vi) reading readiness programs such  
17                   as those conducted by public and school li-  
18                   braries;

19                   “(G) the plan of such applicant to coordi-  
20                   nate the Head Start program that the applicant  
21                   proposes to carry out, with public and private  
22                   entities that are willing to commit resources to  
23                   assist the Head Start program in meeting its  
24                   program needs;

25                   “(H) the plan of such applicant—



1           “(i) to seek the involvement of parents  
2           of children participating in the proposed  
3           Head Start program, in activities (at home  
4           and, if practicable, at the location of the  
5           Head Start program) designed to help  
6           such parents become full partners in the  
7           education of their children;

8           “(ii) to afford such parents the oppor-  
9           tunity to participate in the development  
10          and overall conduct of the program at the  
11          local level;

12          “(iii) to offer (directly or through re-  
13          ferral to local entities, such as entities car-  
14          rying out Even Start programs under sub-  
15          part 3 of part B of title I of the Elemen-  
16          tary and Secondary Education Act of 1965  
17          (20 U.S.C. 6381 et seq.), public and school  
18          libraries, and entities carrying out family  
19          support programs) to such parents—

20                 “(I) family literacy services; and

21                 “(II) parenting skills training;

22          “(iv) to offer to parents of partici-  
23          pating children, substance abuse coun-  
24          seling (either directly or through referral  
25          to local entities), including information on



1 the effect of drug exposure on infants and  
2 fetal alcohol syndrome;

3 “(v) at the option of such applicant,  
4 to offer (directly or through referral to  
5 local entities) to such parents—

6 “(I) training in basic child devel-  
7 opment (including cognitive develop-  
8 ment);

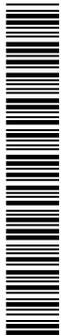
9 “(II) assistance in developing lit-  
10 eracy and communication skills;

11 “(III) opportunities to share ex-  
12 periences with other parents (includ-  
13 ing parent mentor relationships);

14 “(IV) regular in-home visitation;  
15 or

16 “(V) any other activity designed  
17 to help such parents become full part-  
18 ners in the education of their children;

19 “(vi) to provide, with respect to each  
20 participating family, a family needs assess-  
21 ment that includes consultation with such  
22 parents about the benefits of parent in-  
23 volvement and about the activities de-  
24 scribed in subparagraph (H) in which such  
25 parents may choose to become involved



1 (taking into consideration their specific  
2 family needs, work schedules, and other re-  
3 sponsibilities); and

4 “(vii) to extend outreach to fathers, in  
5 appropriate cases, in order to strengthen  
6 the role of fathers in families, in the edu-  
7 cation of their young children, and in the  
8 Head Start program, by working directly  
9 with fathers and father figures through ac-  
10 tivities such as—

11 “(I) in appropriate cases, includ-  
12 ing fathers in home visits and pro-  
13 viding opportunities for direct father-  
14 child interactions; and

15 “(II) targeting increased male  
16 participation in the conduct of the  
17 program;

18 “(I) the ability of such applicant to carry  
19 out the plans described in paragraphs (2), (4),  
20 and (5);

21 “(J) the plan of such applicant to meet the  
22 needs of non-English background children and  
23 their families, including procedures to identify  
24 such children, plans to provide trained per-  
25 sonnel, and plans to provide services to assist



1 the children in making progress toward the ac-  
2 quisition of the English language, while making  
3 meaningful progress in attaining the knowledge,  
4 skills, abilities, and development described in  
5 section 641A(a)(1)(B);

6 “(K) the plan of such applicant to meet  
7 the diverse cultural needs of the population  
8 served;

9 “(L) the plan of such applicant to meet  
10 the needs of children with disabilities;

11 “(M) the plan of such applicant who choos-  
12 es to assist younger siblings of children who will  
13 participate in the Head Start program, to ob-  
14 tain health services from other sources;

15 “(N) the plan of such applicant to collabo-  
16 rate with other entities carrying out early child-  
17 hood education and child care programs in the  
18 community;

19 “(O) the plan of such applicant to meet  
20 the needs of homeless children, including trans-  
21 portation needs, and children in foster care;

22 “(P) the plan of such applicant to main-  
23 tain a qualified staff, including a teaching staff  
24 qualified to implement research-based edu-



1 cational curricula aligned with State-developed  
2 K-12 academic content standards;

3 “(Q) the plan of such applicant to enter  
4 into memoranda of understanding with local  
5 educational agencies, child care providers, and  
6 other entities within the service area; and

7 “(R) other factors related to the require-  
8 ments of this subchapter.”.

9 (d) SELECTION OF APPLICANTS.—Section 641 of the  
10 Head Start Act (43 U.S.C. 9836) is amended by striking  
11 subsection (g).

12 **SEC. 8. QUALITY STANDARDS; MONITORING OF HEAD**  
13 **START AGENCIES AND PROGRAMS.**

14 (a) QUALITY STANDARDS.—Section 641A(a) of the  
15 Head Start Act (42 U.S.C. 9836a(a)) is amended—

16 (1) by amending paragraph (1)(B)—

17 (A) in clause (i)—

18 (i) by inserting “based on sound sci-  
19 entific evidence” after “standards”; and

20 (ii) by inserting “and sustained aca-  
21 demic gains” after “readiness”; and

22 (B) by amending clause (ii) to read as fol-  
23 lows:

24 “(ii) additional scientifically-based edu-  
25 cation standards to ensure that the children



1 participating in the program, at a minimum de-  
2 velop and demonstrate—

3 “(I) language knowledge and skills,  
4 including oral language and listening com-  
5 prehension;

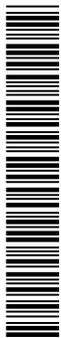
6 “(II) prereading knowledge and skills  
7 that prepare children for early literacy in  
8 schools, including phonological awareness,  
9 print awareness and print skills, and al-  
10 phabetic knowledge;

11 “(III) premathematics knowledge and  
12 skills, including aspects of classification,  
13 seriation, number, spatial relations, and  
14 time;

15 “(IV) cognitive abilities related to aca-  
16 demic achievement and child development;

17 “(V) social and emotional development  
18 related to early learning, school success,  
19 and sustained academic gains; and

20 “(VI) in the case of limited-English  
21 proficient children, progress toward acqui-  
22 sition of the English language while mak-  
23 ing meaningful progress in attaining the  
24 knowledge, skills, abilities, and develop-



1                   ment described in subclauses (I) through  
2                   (IV);”;

3                   (2) in paragraph (2)—

4                   (A) by amending subparagraph (B) to read  
5                   as follows:

6                   “(B) take into consideration—

7                    “(i) past experience with use of the  
8                    standards in effect under this subchapter  
9                    on October 27, 1998;

10                   “(ii) changes over the period since Oc-  
11                    tober 27, 1998, in the circumstances and  
12                    problems typically facing children and fam-  
13                    ilies served by Head Start agencies;

14                   “(iii) developments concerning re-  
15                    search based practices with respect to early  
16                    childhood education and development, chil-  
17                    dren with disabilities, family services, pro-  
18                    gram administration, and financial man-  
19                    agement;

20                   “(iv) projected needs of an expanding  
21                    Head Start program;

22                   “(v) guidelines and standards cur-  
23                    rently in effect or under consideration that  
24                    promote child health services;



1           “(vi) changes in the population of  
2 children who are eligible to participate in  
3 Head Start programs, including the lan-  
4 guage background and family structure of  
5 such children;

6           “(vii) scientifically based research to  
7 ensure that children participating in Head  
8 Start programs make a successful transi-  
9 tion to schools that the children will be at-  
10 tending; and

11           “(viii) the unique challenges faced by  
12 individual programs, including those that  
13 are seasonal or short term, and those that  
14 serve rural populations; and”;

15           (B) in subparagraph (C)(ii) by striking  
16 “the date” and all that follows through “Act  
17 of”, and inserting “October 27, 1998”; and  
18 (3) by adding at the end the following:

19           “(4) EVALUATIONS AND CORRECTIVE ACTIONS  
20 FOR DELEGATE AGENCIES.—

21           “(A) PROCEDURES.—The Head Start  
22 agency shall establish procedures relating to its  
23 delegate agencies, including—

24           “(i) procedures for evaluating delegate  
25 agencies;



1                   “(ii) procedures for defunding dele-  
2                   gate agencies; and

3                   “(iii) procedures for appealing a  
4                   defunding decision relating to a delegate  
5                   agency.

6                   “(B) EVALUATIONS.—Each Head Start  
7                   agency—

8                   “(i) shall evaluate its delegate agen-  
9                   cies using the procedures established pur-  
10                  suant to this section, including subpara-  
11                  graph (A); and

12                  “(ii) shall inform the delegate agen-  
13                  cies of the deficiencies identified through  
14                  the evaluation that shall be corrected.

15                  “(C) REMEDIES TO ENSURE CORRECTIVE  
16                  ACTIONS.—If the Head Start agency identifies  
17                  a deficiency for a delegate agency through the  
18                  evaluation, the Head Start agency may—

19                  “(i) initiate procedures to terminate  
20                  the designation of the agency unless the  
21                  agency corrects the deficiency;

22                  “(ii) conduct monthly monitoring vis-  
23                  its to such delegate agency until all defi-  
24                  ciencies are corrected or the Head Start



1 agency decides to defund such delegate  
2 agency; and

3 “(iii) release funds to such delegate  
4 agency only as reimbursements until all de-  
5 ficiencies are corrected or the Head Start  
6 agency decides to defund such delegate  
7 agency.

8 “(D) RULE OF CONSTRUCTION.—Nothing  
9 in this paragraph shall be construed to impact  
10 or obviate the responsibilities of the Secretary  
11 with respect to Head Start agencies or delegate  
12 agencies receiving funding under this sub-  
13 chapter.”.

14 (b) RESULTS-BASED PERFORMANCE MEASURES.—  
15 Section 641A(b) of the Head Start Act (42 U.S.C.  
16 9836a(b)) is amended—

17 (1) by amending paragraph (2) to read as fol-  
18 lows:

19 “(2) CHARACTERISTICS OF MEASURES.—The  
20 performance measures developed under this sub-  
21 section shall—

22 “(A) be used to assess the impact of the  
23 various services provided by Head Start pro-  
24 grams and, to the extent the Secretary finds



1 appropriate, administrative and financial man-  
2 agement practices of such programs;

3 “(B) be adaptable for use in self-assess-  
4 ment, peer review, and program evaluation of  
5 individual Head Start agencies and programs;

6 “(C) be developed for other program pur-  
7 poses as determined by the Secretary;

8 “(D) be appropriate for the population  
9 served; and

10 “(E) be reviewed no less than every 4  
11 years, based on advances in the science of early  
12 childhood development.

13 The performance measures shall include the per-  
14 formance standards described in subparagraphs (A)  
15 and (B) of subsection (a)(1).”; and

16 (2) by amending subsection (b)(4) to read as  
17 follows:

18 “(4) EDUCATIONAL MEASURES.—Results based  
19 measures shall be designed for the purpose of pro-  
20 moting the competencies of children participating in  
21 Head Start programs specified in subsection  
22 (a)(1)(B)(ii), with an emphasis on measuring those  
23 competencies that have a strong scientifically-based  
24 predictability of a child’s school readiness and later  
25 performance in school.”.



1 (c) MONITORING OF LOCAL AGENCIES AND PRO-  
2 GRAMS.—Section 641A(c) of the Head Start Act (42  
3 U.S.C. 9836a(c)) is amended—

4 (1) in paragraph (1)—

5 (A) in the matter preceding subparagraph  
6 (A) by inserting “develop and utilize a risk-  
7 based assessment system to” after “shall”;

8 (B) by amending subparagraph (C) to read  
9 as follows:

10 “(C) Unannounced followup reviews of pro-  
11 grams with 1 or more findings of deficiencies  
12 not later than 6 months after the date of such  
13 finding.”; and

14 (C) by amending subparagraph (D) to read  
15 as follows:

16 “(D) Unannounced site inspections of  
17 Head Start centers, as appropriate.”;

18 (2) by amending paragraph (2) to read as fol-  
19 lows:

20 “(2) CONDUCT OF REVIEWS.—The Secretary  
21 shall ensure that reviews described in subparagraphs  
22 (A) through (C) of paragraph (1)—

23 “(A) that incorporate a monitoring visit,  
24 do so without prior notice of the visit to the  
25 local agency or program;



1           “(B) are conducted by review teams com-  
2           posed of individuals who are knowledgeable  
3           about the program areas they are reviewing  
4           and, to the maximum extent practicable, the di-  
5           verse (including linguistic and cultural) needs of  
6           eligible children (including children with disabil-  
7           ities) and limited-English proficient children  
8           and their families;

9           “(C) include as part of the reviews of the  
10          programs, a review and assessment of program  
11          effectiveness, including strengths and areas for  
12          improvement, as measured in accordance with  
13          the results-based performance measures devel-  
14          oped by the Secretary pursuant to subsection  
15          (b) and with the standards established pursuant  
16          to subparagraphs (A) and (B) of subsection  
17          (a)(1);

18          “(D) seek information from the commu-  
19          nities and the States involved about the per-  
20          formance of the programs and the efforts of the  
21          Head Start agencies to collaborate with other  
22          entities carrying out early childhood education  
23          and child care programs in the community;

24          “(E) seek information from the commu-  
25          nities where Head Start programs exist about



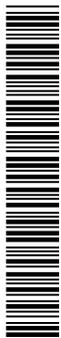
1 innovative or effective collaborative efforts, bar-  
2 riers to collaboration, and the efforts of the  
3 Head Start agencies and programs to collabo-  
4 rate with the entities carrying out early child-  
5 hood education and child care programs in the  
6 community;

7 “(F) include as part of the reviews of the  
8 programs, a review and assessment of whether  
9 a program is in conformity with the income eli-  
10 gibility requirements, as defined in section 645  
11 and regulations promulgated thereunder;

12 “(G) include as part of the reviews of the  
13 programs, a review and assessment of whether  
14 programs have adequately addressed the popu-  
15 lation and community needs (including popu-  
16 lations of children with a limited English pro-  
17 ficiency and children of migrant and seasonal  
18 farm-working families);

19 “(H) include as part of the review the ex-  
20 tent to which the program addresses the com-  
21 munity needs and strategic plan identified in  
22 section 640(g)(2)(C); and

23 “(I) are conducted in a manner that evalu-  
24 ates program performance, quality, and overall  
25 operations with consistency and objectivity, and



1 based on a transparent and reliable system of  
2 review.”.

3 (d) CORRECTIVE ACTION; TERMINATION.—Section  
4 641A(d) of the Head Start Act (42 U.S.C. 9836a(d)) is  
5 amended—

6 (1) in paragraph (1) by amending the matter  
7 preceding subparagraph (A) to read as follows:

8 “(1) DETERMINATION.—If the Secretary deter-  
9 mines, on the basis of a review pursuant to sub-  
10 section (c), that a Head Start agency designated  
11 pursuant to section 641 fails to meet the standards  
12 described in subsection (a) or results-based perform-  
13 ance measures developed by the Secretary under  
14 subsection (b), or fails to adequately address the  
15 community needs and strategic plan identified in  
16 640(g)(2)(C), the Secretary shall—”;

17 (2) by amending paragraph (2) to read as fol-  
18 lows:

19 “(2) QUALITY IMPROVEMENT PLAN.—

20 “(A) AGENCY AND PROGRAM RESPONSIBIL-  
21 ITIES.—In order to retain a designation as a  
22 Head Start agency under this subchapter, or in  
23 the case of a Head Start program, in order to  
24 continue to receive funds from such agency, a  
25 Head Start agency, or Head Start program



1 that is the subject of a determination described  
2 in paragraph (1) (other than an agency or pro-  
3 gram required to correct a deficiency imme-  
4 diately or during a 90-day period under clause  
5 (i) or (ii) of paragraph (1)(B)) shall—

6 “(i) develop in a timely manner, a  
7 quality improvement plan which shall be  
8 subject to the approval of the Secretary, or  
9 in the case of a program, the sponsoring  
10 agency, and which shall specify—

11 “(I) the deficiencies to be cor-  
12 rected;

13 “(II) the actions to be taken to  
14 correct such deficiencies; and

15 “(III) the timetable for accom-  
16 plishment of the corrective actions  
17 specified; and

18 “(ii) eliminate each deficiency identi-  
19 fied, not later than the date for elimination  
20 of such deficiency specified in such plan  
21 (which shall not be later than 1 year after  
22 the date the agency or program received  
23 notice of the determination and of the spe-  
24 cific deficiency to be corrected).



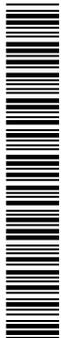
1           “(B) SECRETARIAL RESPONSIBILITY.—Not  
2 later than 30 days after receiving from a Head  
3 Start agency a proposed quality improvement  
4 plan pursuant to subparagraph (A), the Sec-  
5 retary shall either approve such proposed plan  
6 or specify the reasons why the proposed plan  
7 cannot be approved.

8           “(C) AGENCY RESPONSIBILITY FOR PRO-  
9 GRAM IMPROVEMENT.—Not later than 30 days  
10 after receiving from a Head Start program, a  
11 proposed quality improvement plan pursuant to  
12 subparagraph (A), the sponsoring agency shall  
13 either approve such proposed plan or specify  
14 the reasons why the proposed plan cannot be  
15 approved.”; and

16           (3) in paragraph (3) by inserting “and pro-  
17 grams” after “agencies”;

18           (4) by amending subsection (e) to read as fol-  
19 lows:

20           “(e) SUMMARIES OF MONITORING OUTCOMES.—Not  
21 later than 120 days after the end of each fiscal year, the  
22 Secretary shall publish a summary report on the findings  
23 of reviews conducted under subsection (c) and on the out-  
24 comes of quality improvement plans implemented under  
25 subsection (d), during such fiscal year. Such information



1 shall be made available to all parents with children receiv-  
2 ing assistance under this subchapter in an understandable  
3 and uniform format, and to the extent practicable, pro-  
4 vided in a language that the parents can understand, and  
5 in addition, make the information widely available through  
6 public means such as distribution through public agencies,  
7 and at a minimum posting such information on the Inter-  
8 net immediately upon publication.”; and

9 (5) by adding at the end the following:

10 “(f) REDUCTION OF GRANTS AND REDISTRIBUTION  
11 OF FUNDS IN CASES OF UNDER-ENROLLMENT.—

12 “(1) DEFINITIONS.—In this subsection:

13 “(A) ACTUAL ENROLLMENT.—The term  
14 ‘actual enrollment’ means, with respect to the  
15 program of a Head Start agency, the actual  
16 number of children enrolled in such program  
17 and reported by the agency (as required in  
18 paragraph (2)) in a given month.

19 “(B) BASE GRANT.—The term ‘base grant’  
20 means, with respect to a Head Start agency for  
21 a fiscal year, that portion of the grant  
22 derived—

23 “(i) from amounts reserved for use in  
24 accordance with section 640(a)(2)(A), for a  
25 Head Start agency administering an In-



1           dian Head Start program or migrant and  
2           seasonal Head Start program;

3           “(ii) from amounts reserved for pay-  
4           ments under section 640(a)(2)(B); or

5           “(iii) from amounts available under  
6           section 640(a)(2)(D) or allotted among  
7           States under section 640(a)(4).

8           “(C) FUNDED ENROLLMENT.—The term  
9           ‘funded enrollment’ means, with respect to the  
10          program of a Head Start agency in a fiscal  
11          year, the number of children that the agency is  
12          funded to serve through a grant for the pro-  
13          gram during such fiscal year, as indicated in  
14          the grant agreement.

15          “(2) ENROLLMENT REPORTING REQUIREMENT  
16          FOR CURRENT FISCAL YEAR.—Each entity carrying  
17          out a Head Start program shall report on a monthly  
18          basis to the Secretary and the relevant Head Start  
19          agency—

20                 “(A) the actual enrollment in such pro-  
21                 gram; and

22                 “(B) if such actual enrollment is less than  
23                 the funded enrollment, any apparent reason for  
24                 such enrollment shortfall.



1           “(3) SECRETARIAL REVIEW AND PLAN.—The  
2           Secretary shall—

3                   “(A) on a semiannual basis, determine  
4                   which Head Start agencies are operating with  
5                   an actual enrollment that is less than the fund-  
6                   ed enrollment based on not less than the aver-  
7                   age of 4 consecutive months of data;

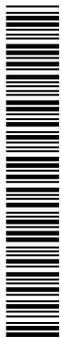
8                   “(B) for each such Head Start agency op-  
9                   erating a program with an actual enrollment  
10                   that is less than 95 percent of its funded enroll-  
11                   ment, as determined under subparagraph (A),  
12                   develop, in collaboration with such agency, a  
13                   plan and timetable for reducing or eliminating  
14                   under-enrollment taking into consideration—

15                           “(i) the quality and extent of the out-  
16                           reach, recruitment, and community needs  
17                           assessment conducted by such agency;

18                           “(ii) changing demographics, mobility  
19                           of populations, and the identification of  
20                           new underserved low-income populations;

21                           “(iii) facilities-related issues that may  
22                           impact enrollment;

23                           “(iv) the ability to provide full-day  
24                           programs, where needed, through Head  
25                           Start funds or through collaboration with



1 entities carrying out other preschool or  
2 child care programs, or programs with  
3 other funding sources (where available);

4 “(v) the availability and use by fami-  
5 lies of other preschool and child care op-  
6 tions (including parental care) in the local  
7 catchment area; and

8 “(vi) agency management procedures  
9 that may impact enrollment; and

10 “(C) provide timely and ongoing technical  
11 assistance to each agency described in subpara-  
12 graph (B) for the purpose of implementing the  
13 plan described in such subparagraph.

14 “(4) IMPLEMENTATION.—Upon receipt of the  
15 technical assistance described in paragraph (3)(C), a  
16 Head Start agency shall immediately implement the  
17 plan described in paragraph (3)(B).

18 “(5) SECRETARIAL ACTION FOR CONTINUED  
19 UNDER-ENROLLMENT.—If, 1 year after the date of  
20 implementation of the plan described in paragraph  
21 (3)(B), the Head Start agency continues to operate  
22 a program at less than full enrollment, the Secretary  
23 shall, where determined appropriate, continue to  
24 provide technical assistance to such agency.



1           “(6) SECRETARIAL REVIEW AND ADJUSTMENT  
2           FOR CHRONIC UNDER-ENROLLMENT.—

3           “(A) IN GENERAL.—If, after receiving  
4           technical assistance and developing and imple-  
5           menting a plan to the extent described in para-  
6           graphs (3), (4), and (5) for 6 months, a Head  
7           Start agency is still operating a program with  
8           an actual enrollment that is less than 95 per-  
9           cent of its funded enrollment, the Secretary  
10          may—

11                   “(i) designate such agency as chron-  
12                   ically under-enrolled; and

13                   “(ii) recapture, withhold, or reduce  
14                   the base grant for the program by, a per-  
15                   centage equal to the percentage difference  
16                   between funded enrollment and actual en-  
17                   rollment for the program for the most re-  
18                   cent year in which the agency is deter-  
19                   mined to be under-enrolled under para-  
20                   graph (2)(B).

21           “(B) WAIVER OR LIMITATION OF REDUC-  
22           TIONS.—If the Secretary, after the implementa-  
23           tion of the plan described in paragraph (3)(B),  
24           finds that—



1                   “(i) the shortfall can reasonably be  
2                   expected to be temporary; or

3                   “(ii) the number of slots allotted to  
4                   the agency is small enough that under-en-  
5                   rollment does not constitute a significant  
6                   shortfall,

7                   the Secretary may, as appropriate, waive or re-  
8                   duce the percentage recapturing, withholding,  
9                   or reduction otherwise required by subpara-  
10                  graph (A).

11                  “(C) PROCEDURAL REQUIREMENTS; EF-  
12                  FECTIVE DATE.—The actions taken by the Sec-  
13                  retary under this paragraph with respect to a  
14                  Head Start agency shall take effect 1 day after  
15                  the date on which—

16                         “(i) the time allowed for appeal under  
17                         section 646(a) expires without an appeal  
18                         by the agency; or

19                         “(ii) the action is upheld in an admin-  
20                         istrative hearing under section 646.

21                  “(7) REDISTRIBUTION OF FUNDS.—

22                         “(A) IN GENERAL.—The Secretary shall  
23                         use amounts recovered from a Head Start agen-  
24                         cy through recapturing, withholding, or reduc-  
25                         tion under paragraph (6) in a fiscal year—



1           “(i) in the case of a Head Start agen-  
2           cy administering an Indian Head Start  
3           program or a migrant and seasonal Head  
4           Start program, whose base grant is derived  
5           from amounts specified in paragraph  
6           (1)(C)(i), to redirect funds to 1 or more  
7           agencies that—

8                       “(I) are administering Head  
9                       Start programs serving the same spe-  
10                      cial population; and

11                     “(II) demonstrate that the agen-  
12                     cies will use such redirected funds to  
13                     increase enrollment in their Head  
14                     Start programs in such fiscal year; or

15                     “(ii) in the case of a Head Start agen-  
16                     cy in a State, whose base grant is derived  
17                     from amounts specified in clause (ii) or  
18                     (iii) of paragraph (1)(C), to redirect funds  
19                     to 1 or more agencies that—

20                     “(I) are administering Head  
21                     Start programs in the same State;  
22                     and

23                     “(II) make the demonstration de-  
24                     scribed in clause (i)(II).



1           “(B) SPECIAL RULE.—If there is no agen-  
2           cy located in a State that meets the require-  
3           ments of subclauses (I) and (II) of subpara-  
4           graph (A)(ii), the Secretary shall use amounts  
5           described in subparagraph (A) to redirect funds  
6           to Head Start agencies located in other States  
7           that make the demonstration described in sub-  
8           paragraph (A)(i)(II).

9           “(C) ADJUSTMENT TO FUNDED ENROLL-  
10          MENT.—The Secretary shall adjust as necessary  
11          the requirements relating to funded enrollment  
12          indicated in the grant agreement of a Head  
13          Start agency receiving redistributed amounts  
14          under this paragraph.”.

15 **SEC. 9. POWERS AND FUNCTIONS OF HEAD START AGEN-**  
16 **CIES.**

17          (a) QUALIFICATIONS FOR DESIGNATION.—Section  
18          642(b) of the Head Start Act (42 U.S.C. 9837(b)) is  
19          amended to read as follows:

20          “(b) In order to be so designated, a Head Start agen-  
21          cy shall do all of the following:—

22                 “(1) Establish a program with standards set  
23                 forth in section 641A(a)(1), with particular atten-  
24                 tion to the standards set forth in subparagraphs (A)  
25                 and (B) of such section.



1           “(2) Demonstrate capacity to serve eligible chil-  
2           dren with scientifically-based curricula and other  
3           interventions that help promote the school readiness  
4           of children participating in the program.

5           “(3) Establish effective procedures by which  
6           parents and area residents concerned will be enabled  
7           to directly participate in decisions that influence the  
8           character of programs affecting their interests.

9           “(4) Establish an independent board of direc-  
10          tors selected from among eligible individuals who  
11          shall serve on the board for a period not to exceed  
12          5 years. An individual who has a conflict of interest  
13          is ineligible to serve as a member of the board.  
14          Members of the board shall include representatives  
15          of the local community (including at least 1 member  
16          with significant financial management or accounting  
17          experience). Additional members shall be selected for  
18          their expertise in education, business administration,  
19          community affairs, government, legal affairs, and  
20          such other areas of expertise as may contribute to  
21          effective governance of the Head Start agency. All  
22          members of the board shall receive training in the  
23          management responsibilities and obligations, ethics,  
24          and financial literacy and management, and shall  
25          adopt practices that assure active, independent and



1 informed governance of the Head Start agency, in-  
2 cluding independent oversight of the financial and  
3 management practices of such agency. The board  
4 shall operate as an entity independent of staff em-  
5 ployed by the Head start agency, entity, or applicant  
6 and have the following duties and responsibilities:

7 “(A) To provide independent oversight to  
8 ensure that the Head Start agency is delivering  
9 high quality services to children and families in  
10 compliance with all applicable standards in ef-  
11 fect under this subchapter and with the applica-  
12 ble performance measures established by the  
13 Secretary under section 644.

14 “(B) To establish 2 or more standing  
15 councils to facilitate governance of the Head  
16 Start agency which shall include both of the fol-  
17 lowing:

18 “(i) A finance council whose primary  
19 responsibility shall be—

20 “(I) to approve annually the op-  
21 erating budget of the Head Start  
22 agency;

23 “(II) to review and recommend  
24 to the board the selection or termi-  
25 nation of independent auditors (or the



1 extension of existing audit firm) at  
2 least once every 4 years;

3 “(III) to review and advise the  
4 board of the audit management letter  
5 provided pursuant to the chapter 75  
6 of title 31 of the United States Code,  
7 and of any audit findings; and

8 “(IV) to monitor agency actions  
9 to correct any such audit findings or  
10 other actions necessary to comply with  
11 applicable laws (including regulations)  
12 governing financial statements and ac-  
13 counting practices.

14 “(ii) A policy council, a majority of  
15 whose representatives shall be parents of  
16 children participating in a Head Start pro-  
17 gram or in an Early Head Start program,  
18 or of children who participated in a Head  
19 Start program or in an Early Head Start  
20 program in the then most recent 5-year pe-  
21 riod preceding the selection of the par-  
22 ticular representative involved, and whose  
23 primary responsibility shall be to serve as  
24 a link between parents and the board of di-



1                   rectors and to make recommendations  
2                   on—

3                               “(I) the strategic direction of the  
4                               program, including long and short-  
5                               term planning goals and objectives;

6                               “(II) program operation policies,  
7                               including standards of conduct for  
8                               program staff and volunteers; and

9                               “(III) activities to support the  
10                              active involvement of parents in sup-  
11                              porting program operations.

12                             “(C) To approve the selection and dis-  
13                             missal of the Head Start director, and to review  
14                             annually the human resources available to en-  
15                             sure the effective operation of the Head Start  
16                             agency.

17                             “(D) To review and approve the major  
18                             operational policies of the Head Start agency,  
19                             including policies addressing accounting, finan-  
20                             cial management, procurement, record confiden-  
21                             tiality, and personnel (including specific stand-  
22                             ards governing salaries, salary adjustments,  
23                             travel and per diem allowances, and other em-  
24                             ployee benefits).



1           “(E) To ensure that the Head Start agen-  
2           cy is operated in compliance with applicable  
3           Federal, State, and local laws (including regula-  
4           tions), and to monitor agency implementation of  
5           any corrective action necessary to comply with  
6           applicable laws (including regulations);

7           “(F) To oversee the program planning of  
8           the Head Start agency, including adoption of  
9           the Head Start agency philosophy and mission  
10          statement, adoption of policies for determining  
11          community needs, setting long- and short-range  
12          goals and objectives, establishment of criteria  
13          for selecting families in Head Start programs  
14          or Early Head Start programs, and to oversee  
15          and approve the agency’s applications to receive  
16          funds made available under this subchapter;  
17          and

18          “(G) To establish, adopt, and periodically  
19          update a written ‘Standards of Conduct’ that  
20          establishes standards and procedures for dis-  
21          closing and addressing conflicts of interest, and  
22          the appearance of conflicts of interest, by board  
23          members, officers, employees, consultants, and  
24          agents who provide services or furnish goods to  
25          the Head Start agency.



1           “(5) Seek the involvement of parents, area resi-  
2           dents, and local business in the design and imple-  
3           mentation of the program.

4           “(6) Provide technical and other support need-  
5           ed to enable parents and area residents to secure on  
6           their own behalf available assistance from public and  
7           private sources.

8           “(7) Establish effective procedures to facilitate  
9           the involvement of parents of participating children  
10          in activities designed to help such parents become  
11          full partners in the education of their children, and  
12          to afford such parents the opportunity to participate  
13          in the development and overall conduct of the pro-  
14          gram at the local level.

15          “(8) Conduct outreach to schools in which  
16          Head Start children enroll, local educational agen-  
17          cies, the local business community, community-based  
18          organizations, faith-based organizations, museums,  
19          and libraries to generate support and leverage the  
20          resources of the entire local community in order to  
21          improve school readiness.

22          “(9) Offer (directly or through referral to local  
23          entities, such as entities carrying out Even Start  
24          programs under subpart 3 of part B of title I of the  
25          Elementary and Secondary Education Act of 1965



1 (20 U.S.C. 2741 et seq.)), to parents of partici-  
2 pating children, family literacy services and par-  
3 enting skills training.

4 “(10) Offer to parents of participating children  
5 substance abuse counseling (either directly or  
6 through referral to local entities), including informa-  
7 tion on drug-exposed infants and fetal alcohol syn-  
8 drome.

9 “(11) At the option of such agency, offer (di-  
10 rectly or through referral to local entities), to such  
11 parents—

12 “(A) training in basic child development  
13 (including cognitive development);

14 “(B) assistance in developing literacy and  
15 communication skills;

16 “(C) opportunities to share experiences  
17 with other parents (including parent-mentor re-  
18 lationships);

19 “(D) regular in-home visitation; or

20 “(E) any other activity designed to help  
21 such parents become full partners in the edu-  
22 cation of their children.

23 “(12) Provide, with respect to each partici-  
24 pating family, a family needs assessment that in-  
25 cludes consultation with such parents about the ben-



1       efits of parent involvement and about the activities  
2       described in paragraphs (5) through (8) in which  
3       such parents may choose to be involved (taking into  
4       consideration their specific family needs, work sched-  
5       ules, and other responsibilities).

6               “(13) Consider providing services to assist  
7       younger siblings of children participating in its Head  
8       Start program to obtain health services from other  
9       sources.

10              “(14) Perform community outreach to encour-  
11       age individuals previously unaffiliated with Head  
12       Start programs to participate in its Head Start pro-  
13       gram as volunteers.

14              “(15)(A) Inform custodial parents in single-par-  
15       ent families that participate in programs, activities,  
16       or services carried out or provided under this sub-  
17       chapter about the availability of child support serv-  
18       ices for purposes of establishing paternity and ac-  
19       quiring child support; and

20              “(B) refer eligible parents to the child support  
21       offices of State and local governments.

22              “(16) To the extent practicable, communicate  
23       in the language that parents can understand.”.



1 (b) COORDINATION AND COLLABORATION.—Section  
2 642(c) of the Head Start Act (42 U.S.C. 9837(c)) is  
3 amended to read as follows:

4 “(c) The head of each Head Start agency shall co-  
5 ordinate and collaborate with the State agency responsible  
6 for administering the State program carried out under the  
7 Child Care and Development Block Grant Act of 1990 (42  
8 U.S.C. 9858 et seq.), and other early childhood education  
9 and development programs, including programs under  
10 subtitle B of title VII of the McKinney-Vento Homeless  
11 Assistance Act (42 U.S.C. 11431–11435), Even Start pro-  
12 grams under subpart 3 of part B of title I of the Elemen-  
13 tary and Secondary Education Act of 1965 (20 U.S.C.  
14 2741 et seq.), and programs under Part C and section  
15 619 of the Individuals with Disabilities Education Act (20  
16 U.S.C. 1431–1445, 1419), and the Child Abuse Preven-  
17 tion and Treatment Act (42 U.S.C. 5106a), serving the  
18 children and families served by the Head Start agency to  
19 carry out the provisions of this subchapter.”.

20 (c) OTHER COORDINATION.—Section 642(d) of the  
21 Head Start Act (42 U.S.C. 9837(d)) is amended—

22 (1) by redesignating paragraphs (2) through  
23 (4) as paragraph (5) through (7), respectively;

24 (2) by inserting after paragraph (1) the fol-  
25 lowing:



1           “(2) COORDINATION.—

2                   “(A) LOCAL EDUCATIONAL AGENCY.—In  
3 communities where both public prekindergarten  
4 programs and Head Start programs operate, a  
5 Head Start agency shall collaborate and coordi-  
6 nate activities with the local educational agency  
7 or other public agency responsible for the oper-  
8 ation of the prekindergarten program and pro-  
9 viders of prekindergarten, including outreach  
10 activities to identify eligible children.

11                   “(B) ELEMENTARY SCHOOLS.—Head Start  
12 staff shall, with the permission of the parents  
13 of children enrolled in Head Start programs,  
14 regularly communicate with the elementary  
15 schools such children will be attending—

16                           “(i) to share information about such  
17 children;

18                           “(ii) to receive advice and support  
19 from the teachers in such elementary  
20 schools participating in Early Reading  
21 First programs funded under subpart 1 of  
22 part B of title I of the Elementary and  
23 Secondary Education Act of 1965 regard-  
24 ing scientifically based teaching strategies  
25 and options; and



1                   “(iii) to ensure a smooth transition to  
2                   elementary school for such children.

3                   “(C) OTHER PROGRAMS.—The head of  
4                   each Head Start agency shall coordinate activi-  
5                   ties and collaborate with the State agency re-  
6                   sponsible for administering the State program  
7                   carried out under the Child Care and Develop-  
8                   ment Block Grant Act of 1990 (42 U.S.C. 9858  
9                   et seq.), and other entities carrying out early  
10                  childhood education and development programs,  
11                  programs under subtitle B of title VII of the  
12                  McKinney-Vento Homeless Assistance Act (42  
13                  U.S.C. 11431–11435), Even Start programs  
14                  under subpart 3 of part B of title I of the Ele-  
15                  mentary and Secondary Education Act of 1965  
16                  (20 U.S.C. 6381 et seq.), and programs under  
17                  section 619 and part C of the Individuals with  
18                  Disabilities Education Act (20 U.S.C. 1419,  
19                  1431 et seq.), serving the children and families  
20                  served by the Head Start agency.

21                  “(3) COLLABORATION.—A Head Start agency  
22                  shall take steps to coordinate activities with the local  
23                  educational agency serving the community involved  
24                  and with schools in which children participating in



1 a Head Start program operated by such agency will  
2 enroll following such program, including—

3 “(A) collaborating on the shared use of  
4 transportation and facilities;

5 “(B) collaborating to enhance the effi-  
6 ciency of services while increasing the program  
7 participation of underserved populations of eli-  
8 gible children; and

9 “(C) exchanging information on the provi-  
10 sion of noneducational services to such children.

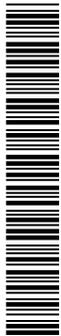
11 “(4) PARENTAL INVOLVEMENT.—In order to  
12 promote the continued involvement of the parents of  
13 children that participate in Head Start programs in  
14 the education of their children upon transition to  
15 school, the Head Start agency shall work with the  
16 local educational agency—

17 “(A) to provide training to the parents—

18 “(i) to inform the parents about their  
19 rights and responsibilities concerning the  
20 education of their children; and

21 “(ii) to enable the parents—

22 “(I) to understand and work with  
23 schools in order to communicate with  
24 teachers and other school personnel;



1                   “(II) to support the schoolwork  
2                   of their children; and

3                   “(III) to participate as appro-  
4                   priate in decisions relating to the edu-  
5                   cation of their children; and

6                   “(B) to take other actions, as appropriate  
7                   and feasible, to support the active involvement  
8                   of the parents with schools, school personnel,  
9                   and school-related organizations.”;

10                  (3) in paragraph (5), as so redesignated—

11                   (A) by striking “A” and inserting “Each”;

12                   (B) by striking “may” and inserting  
13                   “shall”;

14                   (C) by striking “and” at the end of sub-  
15                   paragraph (A); and

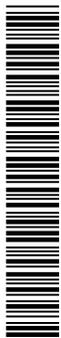
16                   (D) by redesignating subparagraph (B) as  
17                   subparagraph (C); and

18                   (E) by inserting after subparagraph (A)  
19                   the following:

20                   “(B) collaborating to increase the program par-  
21                   ticipation of underserved populations of eligible chil-  
22                   dren; and”;

23                  (4) by adding at the end the following:

24                   “(8) Head Start agencies shall implement a research-  
25                   based early childhood curricula that promotes young chil-



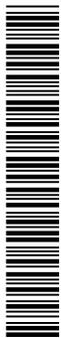
1 dren’s school readiness in the areas of language and cog-  
2 nitive development, early reading and premathematics  
3 skills, socio-emotional skills, physical development, and ap-  
4 proaches to learning. Such curricula shall be—

5           “(A) based on scientifically based research and  
6           have standardized training procedures and published  
7           curriculum materials to support implementation; and

8           “(B) comprehensive, outcomes based, and  
9           linked to ongoing assessment with instructional  
10          goals and measurable objectives.

11          “(9) Head Start agencies shall use ongoing, research-  
12          based assessment methods that are developmentally ap-  
13          propriate, culturally and linguistically responsive, and tied  
14          to children’s daily activities in order to support the edu-  
15          cational instruction of children in the program, including  
16          language skills, prereading knowledge and premathematics  
17          knowledge. Assessment instruments shall be those de-  
18          signed and validated for making decisions about teaching  
19          and learning and aligned with the program’s curricula and  
20          Section 641A(a)(1).

21          “(10) For the purpose of meeting the performance  
22          standards, Head Start agencies shall use high-quality re-  
23          search-based developmental screening tools that have been  
24          demonstrated to be standardized, reliable, valid, and accu-



1 rate for children from a range of racial, ethnic, linguistic,  
2 and cultural backgrounds.”.

3 (d) ASSESSMENT.—Section 642 of the Head Start  
4 Act (42 U.S.C. 9837) is amended by striking subsection  
5 (e) and inserting the following:

6 “(e) ASSESSMENT.—Each Head Start agency shall  
7 adopt, in consultation with experts in child development  
8 and with classroom teachers, an assessment to be used  
9 when hiring or evaluating any classroom teacher in a cen-  
10 ter-based Head Start program. Such assessment shall  
11 measure whether such teacher has mastered the functions  
12 described in section 648A(a)(1) and attained a level of lit-  
13 eracy appropriate to implement Head Start curricula.

14 “(f) FUNDED ENROLLMENT; WAITING LIST.—Each  
15 Head Start agency shall enroll 100 percent of its funded  
16 enrollment and maintain an active waiting list at all times  
17 with ongoing outreach to the community and activities to  
18 identify underserved populations.”.

19 **SEC. 10. LOCAL AND STATE INTEGRATION OF EARLY**  
20 **CHILDHOOD EDUCATION.**

21 The Head Start Act (42 U.S.C. 9831 et. seq.) is  
22 amended by inserting after section 642A the following:



1 **“SEC. 642B. LOCAL AND STATE INTEGRATION OF EARLY**  
2 **CHILDHOOD EDUCATION.**

3 “(a) LOCAL INTEGRATION.—In general, Head Start  
4 agencies shall enter into ongoing partnerships with local  
5 educational agencies, State-funded preschool and other  
6 early childhood programs. Head Start agencies shall oper-  
7 ate in a manner consistent with the goal of creating and  
8 expanding an efficient and effective system of early child-  
9 hood and school readiness services in each State and com-  
10 munity, while maintaining compliance with Standards  
11 under section 641A(a).

12 “(1) MEMORANDA OF UNDERSTANDING.—Each  
13 Head Start agency shall enter into a memorandum  
14 of understanding with any local educational agencies  
15 or local councils, responsible for managing publicly  
16 funded prekindergarten programs in the service area  
17 of the Head Start agency (or if such agencies and  
18 such councils are not applicable in the service area,  
19 with the largest provider of publicly funded pre-  
20 kindergarten in the service area), that shall include  
21 plans to coordinate the following activities:

22 “(A) Educational activities, curricula, and  
23 instruction aligned to State developed K-12  
24 academic standards, as defined by paragraphs  
25 (1) and (5) of section 1111(b) of the Elemen-  
26 tary and Secondary Education Act of 1965.



1           “(B) Public information dissemination and  
2           access to programs for families contacting any  
3           of the early childhood programs.

4           “(C) Selection priorities for eligible chil-  
5           dren to be served by programs.

6           “(D) Service delivery areas.

7           “(E) Staff training, including opportunities  
8           for joint staff training on topics such as aca-  
9           demic content standards and instructional  
10          methods.

11          “(F) Program technical assistance.

12          “(G) Provision of additional services to  
13          meet the child care needs of working parents.

14          “(H) Planning and parent education for  
15          smooth transitions to kindergarten as required  
16          in section 642A(3) and 642A(6).

17          “(I) Provision and use of facilities, trans-  
18          portation, and other program elements, and

19          “(J) Other elements mutually agreed to by  
20          the parties to such memorandum.

21          “(2) TIMING OF MEMORANDA—Each Head  
22          Start agency shall enter into a memorandum of un-  
23          derstanding under paragraph (1) not later than 1  
24          year after the effective date of this section.



1           “(3) SECRETARIAL REVIEW.—Each memo-  
2           randum of understanding entered into under para-  
3           graph (1) shall be submitted to the Secretary not  
4           later than 30 days after entering into such memo-  
5           randum.

6           “(A) If a Head Start agency is unable to  
7           comply with the requirement in (1) the Head  
8           Start agency shall notify the Secretary and the  
9           chief executive officer of the State not later  
10          than 30 days after determining that they are  
11          unable to enter into such memorandum. The  
12          Secretary, in cooperation with the State Early  
13          Learning Council and the State Director of  
14          Head Start Collaboration, shall evaluate the  
15          causes of failure to enter into a memorandum  
16          of understanding under paragraph (1). With  
17          the assistance of the State Early Learning  
18          Council and the State Director of Head Start  
19          Collaboration, all parties shall again attempt to  
20          enter into a memorandum of understanding  
21          under paragraph (1). Then if no such memo-  
22          randum of understanding is entered into, the  
23          Secretary shall make 1 of the following deter-  
24          minations:



1           “(i) The local educational agency,  
2           local council, or other appropriate entity is  
3           unable or unwilling to enter into such a  
4           memorandum despite reasonable efforts on  
5           the part of the Head Start agency; or

6           “(ii) The Head Start agency has not  
7           engaged in reasonable efforts to success-  
8           fully negotiate and enter into a memo-  
9           randum of understanding pursuant to  
10          paragraph (1).

11          “(iii) There is an absence of publicly  
12          funded prekindergarten in the service area  
13          of the Head Start agency.

14          “(B) If the Secretary determines the Head  
15          Start agency is not making reasonable efforts  
16          to enter into a memorandum of understanding  
17          pursuant to paragraph (1), the Head Start  
18          agency shall be found deficient and shall be  
19          considered by the Secretary in the same manner  
20          as other deficiency findings.

21          “(C) If the Secretary concludes that the  
22          local educational agency, local council, or other  
23          appropriate entity is not making reasonable ef-  
24          forts to reach such a memorandum of under-



1 standing, the Head Start agency shall not be  
2 found out of compliance with paragraph (1).

3 “(4) REVISION OF MEMORANDA—Each memo-  
4 randum of understanding shall be revised and re-  
5 newed annually by the parties to such memorandum,  
6 in alignment with the beginning of the school year.

7 “(5) ABSENCE OF PREKINDERGARTEN.—In the  
8 absence of publicly funded prekindergarten in the  
9 service area of a Head Start agency, the Head Start  
10 agency shall submit notice to the Secretary and the  
11 chief executive officer of the State and shall work  
12 with the State Early Learning Council and the State  
13 Director of Head Start Collaboration to improve co-  
14 ordination in their service area.

15 “(b) STATEWIDE INTEGRATION.—From the amounts  
16 reserved and allotted in section 640(a)(4) and the  
17 amounts reserved in section 640(a)(2)(C)(ii), the Sec-  
18 retary shall award an early learning collaboration grant  
19 to each State for the purposes of supporting a State Early  
20 Learning Council responsible for advancing the develop-  
21 ment of a coordinated early childhood services delivery sys-  
22 tem in the State. A State that receives a grant under this  
23 subparagraph shall—

24 “(1) establish a State Early Learning Council,  
25 which shall include the State Director of Head Start



1 Collaboration, representatives from the State pre-  
2 school programs, representatives of local educational  
3 agencies, the State official who oversees child care  
4 programs, the State official who oversees section 619  
5 and part C of the Individuals with Disabilities Edu-  
6 cation Act (20 U.S.C. 1419, 1431 et seq.), and rep-  
7 resentatives from Head Start agencies located in the  
8 State, including migrant and seasonal Head Start  
9 programs and Indian Head Start programs. The  
10 chief executive officer of the State may designate an  
11 existing entity to serve as the Early Learning Coun-  
12 cil if such entity includes representatives described  
13 in this paragraph;

14 “(2) ensure that allotted funds distributed to a  
15 State for a fiscal year to carry out this subsection  
16 may be used by the State to pay not more than 30  
17 percent of the cost of carrying out this subsection;

18 “(3) direct the Early Learning Council—

19 “(A) to increase coordination and collabo-  
20 ration among State preschool, Head Start pro-  
21 grams, child care programs, early childhood  
22 special education, and other early childhood  
23 programs, including in the areas of outcomes  
24 and standards, technical assistance, coordina-  
25 tion of services, cross-sector professional devel-



1           opment and training, community outreach, com-  
2           munication, and better serving the needs of  
3           working families through provision of full-day  
4           and full-year early education services;

5           “(B) to work with State agencies respon-  
6           sible for education, child care, and early inter-  
7           vention to provide leadership and assistance to  
8           local Head Start programs, school districts, and  
9           State and locally funded preschool and child  
10          care programs to increase integration among  
11          early childhood programs through adoption of  
12          local memoranda of understanding described in  
13          subparagraph (A) and other means;

14          “(C) to conduct periodic statewide needs  
15          assessments concerning early care and edu-  
16          cation programs for children from birth to  
17          school entry;

18          “(D) to work to identify and address bar-  
19          riers to and opportunities for integration be-  
20          tween entities carrying out Federal and State  
21          child development, child care, and early child-  
22          hood education programs;

23          “(E) to develop recommendations regard-  
24          ing means of establishing a unified data collec-



1           tion system for early care and education pro-  
2           grams operating throughout the State;

3           “(F) to address coordination of early  
4           learning programs with health care, welfare,  
5           family literacy and services for homeless chil-  
6           dren;

7           “(G) to support a State system of early  
8           childhood education, and training and technical  
9           assistance that improves the quality of early  
10          learning programs and the capacity of such pro-  
11          grams to deliver services pursuant to section  
12          648(b)

13          “(4) Nothing in this subsection shall be con-  
14          strued to provide the Early Learning Council with  
15          authority to alter the provisions of this Act.

16          “(5) Funds made available under this section  
17          shall be used to supplement, and not supplant, other  
18          Federal, State, and local funds that would otherwise  
19          be expended to carry out the purposes of this sec-  
20          tion.

21          “(c) STATE DIRECTOR OF HEAD START COLLABORA-  
22          TION.—The chief executive officer of the State shall ap-  
23          point an individual to serve as the State Director of Head  
24          Start Collaboration and shall ensure that the Director  
25          holds a position with sufficient authority and access to be



1 capable of facilitating the coordination of programs de-  
2 signed to benefit low-income children and their families.  
3 Such position shall be located within the State Early  
4 Learning Council and shall require the Director—

5           “(1) to collaborate with entities involved in  
6 State and local planning processes to better meet the  
7 needs of low income families and children from birth  
8 to school entry;

9           “(2) to assist Head Start agencies in coordi-  
10 nating activities with the State agency responsible  
11 for administering the State program carried out  
12 under the Child Care and Development Block Grant  
13 Act of 1990 and entities that provide child care re-  
14 source and referral services in the State to make  
15 full-day and full calendar year services available to  
16 children;

17           “(3) to align Head Start and State prekindergarten  
18 activities to meet shared goals of school read-  
19 iness; and

20           “(4) to establish improved linkages between  
21 Head Start agencies and other children and family  
22 agencies, including agencies that provide health,  
23 mental health or family services or other child and  
24 family support services.”.



1 **SEC. 11. HEAD START ALIGNMENT WITH K-12 EDUCATION.**

2 Section 642A of the Head Start Act (42 U.S.C.  
3 9837a) is amended—

4 (1) by amending the heading to read as follows:

5 **“SEC. 642A. HEAD START ALIGNMENT WITH K-12 EDU-  
6 CATION.”;**

7 (2) in paragraph (2)—

8 (A) by inserting “ongoing” after “estab-  
9 lishing”; and

10 (B) after “social workers,” by inserting the  
11 following: “McKinney-Vento liaisons as estab-  
12 lished under section 722 (g)(1)(J)(ii) of the  
13 McKinney-Vento Homeless Assistance Act (42  
14 U.S.C. 11432(g)(1)(J)(ii)),”;

15 (3) by redesignating paragraphs (3) through  
16 (7) as paragraphs (5) through (9), respectively; and

17 (4) by inserting the following after paragraph  
18 (2):

19 “(3) developing continuity of developmentally  
20 appropriate curricula between Head Start and local  
21 educational agencies to ensure an effective transition  
22 and appropriate shared expectations for children’s  
23 learning and development as they make such transi-  
24 tion to school;



1           “(4) organizing and participating in joint train-  
2           ing, including transition-related training for school  
3           staff and Head Start staff;”;

4           (5) by amending paragraph (7), as so redesign-  
5           nated, to read as follows:

6           “(7) developing and implementing a family out-  
7           reach and support program in cooperation with enti-  
8           ties carrying out parental involvement efforts under  
9           title I of the Elementary and Secondary Education  
10          Act of 1965 and family outreach and support efforts  
11          under subtitle B of title VII of the McKinney-Vento  
12          Homeless Assistance Act (42 U.S.C. 11431-  
13          11435);”;

14          (6) in paragraph (8), as so redesignated—

15                 (A) by inserting “and continuity in paren-  
16                 tal involvement activities” after “developmental  
17                 continuity”; and

18                 (B) by striking “and” at the end of para-  
19                 graph (8), as so redesignated;

20          (7) by amending paragraph (9), as so redesign-  
21          nated, to read as follows:

22                 “(9) linking the services provided in such Head  
23                 Start program with the education services, including  
24                 services relating to language, literacy, and



1 numeracy, provided by such local educational agen-  
2 cy;”; and

3 (8) by adding at the end the following:

4 “(10) helping parents to understand the impor-  
5 tance of parental involvement in a child’s academic  
6 success while teaching them strategies for maintain-  
7 ing parental involvement as their child moves from  
8 Head Start to elementary school;

9 “(11) developing and implementing a system to  
10 increase program participation of underserved popu-  
11 lations of eligible children; and

12 “(12) coordinating activities and collaborating  
13 to ensure that curricula used in the Head Start pro-  
14 gram is aligned with State early learning standards  
15 with regard to cognitive, social, emotional, and phys-  
16 ical competencies that children entering kinder-  
17 garten are expected to demonstrate.”.

18 **SEC. 12. ADMINISTRATIVE REQUIREMENTS AND STAND-**  
19 **ARDS.**

20 Section 644 of the Head Start Act (42 U.S.C.  
21 9839(f)(2)) is amended—

22 (1) in subsection (a)—

23 (A) by inserting “(1) STANDARDS.—”  
24 after “(a)”; and



1 (B) by inserting after the 3d sentence the  
2 following:

3 “(2) ANNUAL REPORT.—Each Head Start agency  
4 shall make available to the public a report published at  
5 least once in each fiscal year that discloses the following  
6 information from the then most recently concluded fiscal  
7 year:

8 “(A) The total amount of public and private  
9 funds received and the amount from each source.

10 “(B) An explanation of budgetary expenditures  
11 and proposed budget for the following fiscal year.

12 “(C) The total number of children and families  
13 served and percent of average monthly enrollment,  
14 including the percent of eligible children served.

15 “(D) The results of the most recent review by  
16 the Secretary and the financial audit.

17 “(E) The percentage of enrolled children that  
18 received medical and dental exams.

19 “(F) Information about parent involvement ac-  
20 tivities.

21 “(G) The agency’s efforts to prepare children  
22 for kindergarten.

23 “(H) Any other information that describes the  
24 activities of the agency.

25 “(3) PROCEDURAL CONDUCT.—”; and



1 (2) in subsection (f)(2)

2 (A) by redesignating subparagraphs (A)  
3 through (E) as subparagraphs (B) through (F),  
4 respectively; and

5 (B) by inserting before subparagraph (B),  
6 as so redesignated, the following:

7 “(A) a description of the consultation conducted  
8 by the Head Start agency with the providers in the  
9 community demonstrating capacity and capability to  
10 provide services under this subchapter, and of the  
11 potential for collaboration with such providers and  
12 the cost effectiveness of such collaboration as op-  
13 posed to the cost effectiveness of the purchase of a  
14 facility;”.

15 **SEC. 13. ELIGIBILITY.**

16 Section 645(a) of the Head Start Act (42 U.S.C.  
17 9840) is amended—

18 (1) in paragraph (1)—

19 (A) in subparagraph (B)(i) by striking  
20 “benefit from such programs” and inserting  
21 “benefit from such programs, including children  
22 referred by child welfare services;”; and

23 (B) by adding at the end the following:

24 “A homeless child shall be deemed to meet the low-income  
25 criteria.”; and



1 (2) by adding at the end the following:

2 “(3) The amount of a basic allowance provided under  
3 section 403 of title 37, United States Code, on behalf of  
4 an individual who is a member of the uniformed services  
5 for housing that is acquired or constructed under the au-  
6 thority of subchapter IV of chapter 169 of title 10, United  
7 States Code, or any other related provision of law, shall  
8 not be considered to be income for purposes of deter-  
9 mining the eligibility of a child of the individual for pro-  
10 grams assisted under this subchapter.”.

11 **SEC. 14. EARLY HEAD START PROGRAMS.**

12 (a) IN GENERAL.—Section 645A(b) of the Head  
13 Start Act (42 U.S.C. 9640a(b)) is amended—

14 (1) by amending paragraphs (4) and (5) to  
15 read as follows:

16 “(4) provide services to parents to support their  
17 role as parents (including parenting skills training  
18 and training in basic child development) and to help  
19 the families move toward self-sufficiency (including  
20 educational and employment services as appro-  
21 priate);

22 “(5) coordinate services with services (including  
23 home-based services) provided by programs in the  
24 State and programs in the community (including  
25 programs for infants and toddlers with disabilities



1 and programs for homeless infants and toddlers) to  
2 ensure a comprehensive array of services (such as  
3 health and mental health services, and family sup-  
4 port services);”;

5 (2) by amending paragraph (8) to read as fol-  
6 lows:

7 “(8) ensure formal linkages with the agencies  
8 and entities described in section 644(b) of the Indi-  
9 viduals with Disabilities Education Act (20 U.S.C.  
10 1444(b)) and providers of early intervention services  
11 for infants and toddlers with disabilities under the  
12 Individuals with Disabilities Education Act (20  
13 U.S.C. 1400 et seq.) and the agency responsible for  
14 administering section 106 of the Child Abuse Pre-  
15 vention and Treatment Act (42 U.S.C. 5106a);”.

16 (3) by redesignating paragraph (9) as para-  
17 graph (11);

18 (4) by inserting after paragraph (8) the fol-  
19 lowing:

20 “(9) develop and implement a systematic proce-  
21 dure for transitioning children and parents from an  
22 Early Head Start program into a Head Start pro-  
23 gram or another local early childhood education pro-  
24 gram;



1           “(10) establish channels of communication be-  
2           tween staff of Early Head Start programs and staff  
3           of Head Start programs or other local early child-  
4           hood education programs, to facilitate the coordina-  
5           tion of programs; and”.

6           (b)   MIGRANT    AND    SEASONAL    PROGRAMS;  
7   COMMUNITY- AND FAITH-BASED ORGANIZATIONS.—Sec-  
8   tion 645A(d) of the Head Start Act (42 U.S.C. 9640a(d))  
9   is amended—

10           (1) by amending paragraph (1) to read as fol-  
11           lows:

12           “(1) entities operating Head Start programs  
13           under this subpart, including migrant and seasonal  
14           Head Start programs; and”;

15           (2) in paragraph (2) of the Head Start Act (42  
16           US.C. 9643(d)(2)) is amended by inserting “, in-  
17           cluding community- and faith-based organizations”  
18           after “entities” the 2d place it appears.

19           (c)   TRAINING   AND   TECHNICAL   ASSISTANCE   AC-  
20   COUNT.—Section 645A(g)(2)(B) of the Head Start Act  
21   (42 U.S.C. 9640a(g)(2)(B)) is amended—

22           (1) in clause (iii) by striking “and” at the end;

23           (2) in clause (iv) by striking the period at the  
24           end and inserting “; and”; and

25           (3) by adding at the end the following:



1                   “(v) providing professional develop-  
2                   ment designed to increase program partici-  
3                   pation for underserved populations of eligi-  
4                   ble children.”.

5           (d) CENTER-BASED STAFF.—Section 645A of the  
6 Head Start Act (42 U.S.C. 9640a) is amended by adding  
7 at the end the following:

8           “(h) CENTER-BASED STAFF.—The Secretary shall  
9 ensure that, not later than September 30, 2008, all teach-  
10 ers providing direct services to children and families par-  
11 ticipating in Early Head Start programs located in Early  
12 Head Start centers have a minimum of a child develop-  
13 ment associate credential or an associate degree, and have  
14 been trained (or have equivalent course work) in early  
15 childhood development.”.

16 **SEC. 15. PARENTAL CONSENT REQUIREMENT FOR NON-**  
17 **EMERGENCY INTRUSIVE PHYSICAL EXAMINA-**  
18 **TIONS.**

19           The Head Start Act (42 U.S.C. 9831 et seq.) is  
20 amended by inserting after section 645A the following:



1 **“SEC. 645B. PARENTAL CONSENT REQUIREMENT FOR NON-**  
2 **EMERGENCY INTRUSIVE PHYSICAL EXAMINA-**  
3 **TIONS.**

4 “(a) DEFINITION.—The term ‘nonemergency intru-  
5 sive physical examination’ means, with respect to a child,  
6 a physical examination that—

7 “(1) is not immediately necessary to protect the  
8 health or safety of such child, or the health or safety  
9 of another individual; and

10 “(2) includes incision or is otherwise invasive,  
11 or includes exposure of private body parts.

12 “(b) REQUIREMENT.—Before administering any  
13 health care service (including any nonemergency intrusive  
14 physical examination) to a child (or referring such child  
15 to obtain such service) in connection with participation in  
16 a program under this subchapter, a Head Start agency  
17 and an entity that receives assistance under section 645A  
18 shall obtain the written consent of a parent of such child.

19 “(c) RULE OF CONSTRUCTION.—Nothing in this sec-  
20 tion shall be construed to prohibit a Head Start agency  
21 or an entity that receives assistance under section 645A  
22 from using established methods, for handling cases of sus-  
23 pected or known child abuse and neglect, that are in com-  
24 pliance with applicable Federal, State, or tribal law.”.



1 **SEC. 16. RIGHT TO APPEAL.**

2 Section 646(a)(3) of the Head Start Act (42 U.S.C.  
3 9841(a)(3)) is amended to read as follows:

4 “(3) if financial assistance under this subchapter is  
5 terminated or reduced, an application for a noncompeting  
6 continuation award is denied based on a previous failure  
7 to comply with terms applicable to financial assistance  
8 previously provided this subchapter, or suspension of fi-  
9 nancial assistance is continued for more than 30 days, the  
10 recipient with respect to whom such action is taken shall  
11 have the opportunity to appeal such action in accordance  
12 with such procedures, except that no funds made available  
13 under this subchapter may be used to reimburse any such  
14 recipient for legal fees and other costs incurred in pur-  
15 suing such an appeal;”.

16 **SEC. 17. AUDITS.**

17 Section 647 of the Head Start Act (42 U.S.C. 9842)  
18 is amended by adding at the end the following:

19 “(c)(1) Not later than 180 days after the end of each  
20 fiscal year, each Head Start agency, and each entity that  
21 receives assistance under section 645A, shall submit to the  
22 Secretary an independent financial audit of the Head  
23 Start program carried out with financial assistance pro-  
24 vided under this subchapter. Such audit shall be carried  
25 out by a certified public accountant selected through a  
26 competitive process from among qualified certified ac-



1 countants by the local oversight board established in ac-  
2 cordance with section 642(b)(4) by such agency, except  
3 that no accountant may perform audits of such program  
4 for a period exceeding 4 consecutive fiscal years.

5 “(2) Not later than 60 days after receiving such  
6 audit, the Secretary shall provide to such agency or such  
7 entity, and to the chief executive officer of the State in  
8 which such program is operated, a notice identifying the  
9 actions such agency or such entity is required to take to  
10 correct all deficiencies identified in such audit.

11 “(d) Each recipient of financial assistance under this  
12 subchapter shall—

13 “(1) maintain, and annually submit to the Sec-  
14 retary, a complete accounting of its administrative  
15 expenses (including a detailed statement identifying  
16 the amount of financial assistance provided under  
17 this subchapter used to pay expenses for salaries  
18 and compensation and the amount (if any) of other  
19 funds used to pay such expenses); and

20 “(2) provide such additional documentation as  
21 the Secretary may require.”.

22 **SEC. 18. TECHNICAL ASSISTANCE AND TRAINING.**

23 (a) STATE-BASED SYSTEM.—Section 648 of the  
24 Head Start Act (42 U.S.C. 9843) is amended—



1           (1) by redesignating subsections (b) through (e)  
2           as subsections (c) through (f), respectively; and

3           (2) by inserting after subsection (a) the fol-  
4           lowing:

5           “(b) The Secretary shall make available to each State  
6           the money reserved in section 640(a)(2)(C)(ii) to support  
7           a State-based system delivering training and technical as-  
8           sistance that improves the capacity of Head Start pro-  
9           grams within a State to deliver services in accordance with  
10          the Head Start standards in section 641A(a)(1), with par-  
11          ticular attention to the standards set forth in subpara-  
12          graphs (A) and (B) of such section. The Secretary shall—

13           “(1) ensure eligible entities within a State are  
14          chosen by the Secretary, in consultation with the  
15          State Early Learning Council described in section  
16          642B(b) through a competitive bid process;

17           “(2) ensure that existing agencies with dem-  
18          onstrated expertise in providing high quality training  
19          and technical assistance to improve the delivery of  
20          Head Start services, including the State Head Start  
21          Association, State agencies, migrant and seasonal  
22          Head Start programs operating in the State, and  
23          other entities currently providing training and tech-  
24          nical assistance in early education, be included in



1 the planning and coordination of the State system of  
2 training and technical assistance; and

3 “(3) encourage States to supplement the funds  
4 authorized in section 640(a)(2)(C)(ii) with State,  
5 Federal, or local funds other than Head Start funds,  
6 to expand activities beyond Head Start agencies to  
7 include other providers of other early childhood serv-  
8 ices within a State.”.

9 (b) ALLOCATION OF RESOURCES.—Section 648(d) of  
10 the Head Start Act (42 U.S.C. 9843(d)), as so redesis-  
11 nated, is amended—

12 (1) in paragraph (2) by inserting “and for ac-  
13 tivities described in section 1221(b)(3) of the Ele-  
14 mentary and Secondary Education Act of 1965”  
15 after “disabilities” ; and

16 (2) in paragraph (5) by inserting “, including  
17 the needs of homeless children and their families”  
18 after “assessment”;

19 (3) in paragraph (10) by striking “and” at the  
20 end;

21 (4) in paragraph (11) by striking the period at  
22 the end and inserting “; and”; and

23 (5) by adding the following at the end:



1           “(12) assist Head Start agencies and programs  
2           in increasing program participation of homeless chil-  
3           dren.”.

4           (c) TRAINING IN USE OF MEDIA.—Section 648(e) of  
5 the Head Start Act (42 U.S.C. 9843(e)), as so redesign-  
6 nated, is amended by inserting “, including community-  
7 and faith-based organizations” after “entities”.

8           (d) CHILD DEVELOPMENT AND NATIONAL ASSESS-  
9 MENT PROGRAM.—Section 648(f) of the Head Start Act  
10 (42 U.S.C. 9843(f)), as so redesignated, is amended to  
11 read as follows:

12           “(f) The Secretary shall provide, either directly or  
13 through grants or other arrangements, funds from pro-  
14 grams authorized under this subchapter to support an or-  
15 ganization to administer a centralized child development  
16 and national assessment program leading to recognized  
17 credentials for personnel working in early childhood devel-  
18 opment and child care programs, training for personnel  
19 providing services to non-English language background  
20 children (including services to promote the acquisition of  
21 the English language), training for personnel providing  
22 services to children determined to be abused or neglected,  
23 training for personnel providing services to children re-  
24 ferred by or receiving child welfare services, training for  
25 personnel in helping children cope with community vio-



1 lence, and resource access projects for personnel working  
2 with disabled children.”.

3 (e) ADDRESSING UNIQUE NEEDS.—Section 648 of  
4 the Head Start Act (42 U.S.C. 9843) is amended by add-  
5 ing at the end the following:

6 “(g) HELPING PERSONNEL BETTER SERVE MI-  
7 GRANT AND SEASONAL FARM-WORKING COMMUNITIES  
8 AND HOMELESS FAMILIES.—The Secretary shall provide,  
9 either directly or through grants, or other arrangements,  
10 funds for training of Head Start personnel in addressing  
11 the unique needs of migrant and seasonal working fami-  
12 lies, families with a limited English proficiency, and home-  
13 less families.

14 “(h) AUTHORIZED ACTIVITIES.—More than 50 per-  
15 cent of funds expended under this section shall be used  
16 to provide high quality, sustained, intensive, and class-  
17 room-focused training and technical assistance in order to  
18 have a positive and lasting impact on classroom instruc-  
19 tion. Funds shall be used to carry out activities related  
20 to any or all of the following:

21 “(1) Education and early childhood develop-  
22 ment.

23 “(2) Child health, nutrition, and safety.

24 “(3) Family and community partnerships.



1           “(4) Other areas that impact the quality or  
2           overall effectiveness of Head Start programs.

3           “(i) PROHIBITION ON USE OF FUNDS.—Funds under  
4 this subchapter used for training shall be used for needs  
5 identified annually by a grant applicant or delegate agency  
6 in their program improvement plan, except that funds  
7 shall not be used for long-distance travel expenses for  
8 training activities available locally or regionally or for  
9 training activities substantially similar to locally or region-  
10 ally available training activities.

11          “(j)(1) The Secretary shall work in collaboration with  
12 the Head Start agencies that carry out migrant and sea-  
13 sonal Head Start programs, State Collaboration Directors,  
14 the Migrant and Seasonal Farmworker Collaboration  
15 Project Director, and other appropriate entities—

16           “(A) to accurately determine the number of  
17 children nationwide who are eligible to participate in  
18 migrant and seasonal Head Start programs each  
19 year;

20           “(B) to document how many of these children  
21 are receiving Head Start services each year; and

22           “(C) to the extent practicable, to ensure that  
23 access to migrant and seasonal Head Start pro-  
24 grams for eligible children is comparable to access to



1 other Head Start programs for other eligible chil-  
2 dren;

3 “(2) In carrying out paragraph (1)(A), the Secretary  
4 shall consult with the Secretary of Education about the  
5 Department of Education’s systems for collecting and re-  
6 porting data about, and maintaining records on, students  
7 from migrant and seasonal farmworker families.

8 “(3) Not later than 9 months after the effective date  
9 of this subsection, the Secretary shall publish in the Fed-  
10 eral Register a notice of how the Secretary plans to carry  
11 out paragraph (1) and shall provide a period for public  
12 comment. To the extent practicable, the Secretary shall  
13 consider comments received before submitting a report to  
14 the Congress.

15 “(4) Not later than 1 year after the effective date  
16 of this subsection, the Secretary shall submit a report to  
17 the Committee on Education and the Workforce of the  
18 House of Representatives and the Committee on Health,  
19 Education, Labor, and Pensions of the Senate, detailing  
20 how the Department of Health and Human Services plans  
21 to carry out paragraph (1).

22 “(5) The Secretary shall submit annually a report to  
23 the Congress detailing the number of children of migrant  
24 and seasonal farmworkers, who are eligible to participate



1 in Head Start programs and the number of such children  
2 who are are enrolled in Head Start programs.”.

3 “(k) DEFINITION.—For purposes of this section, the  
4 term ‘eligible entities’ means an institution of higher edu-  
5 cation or other entity with expertise in delivering training  
6 in early childhood development, family support, and other  
7 assistance designed to improve the delivery of Head Start  
8 services.”.

9 **SEC. 19. STAFF QUALIFICATIONS AND DEVELOPMENT.**

10 (a) CLASSROOM TEACHERS.—Section 648A(a)(2) of  
11 the Head Start Act (42 U.S.C. 9843a(a)(2)) is amended  
12 to read as follows:

13 “(2) DEGREE REQUIREMENTS.—

14 “(A) IN GENERAL.—The Secretary shall  
15 ensure that not later than September 30, 2010,  
16 at least 50 percent of all Head Start teachers  
17 nationwide in center-based programs have—

18 “(i) a baccalaureate or advanced de-  
19 gree in early childhood education; or

20 “(ii) a baccalaureate or advanced de-  
21 gree in a field related to early childhood  
22 education, with experience in teaching pre-  
23 school children.

24 “(B) PROGRESS.—Each Head Start agen-  
25 cy shall provide to the Secretary a report indi-

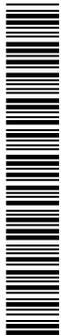


1           cating the number and percentage of classroom  
2           instructors with child development associate  
3           credentials and associate, baccalaureate, or ad-  
4           vanced degrees. The Secretary shall compile all  
5           program reports and make them available to  
6           the Committee on Education and the Workforce  
7           of the United States House of Representatives  
8           and the Committee on Health, Education,  
9           Labor, and Pensions of the United States Sen-  
10          ate.

11           “(C) REQUIREMENT FOR NEW HEAD  
12          START TEACHERS.—Within 3 years after the ef-  
13          fective date of this subparagraph, the Secretary  
14          shall require that all Head Start teachers na-  
15          tionwide in center-based programs hired fol-  
16          lowing the effective date of this subparagraph—

17                   “(i) have an associate, baccalaureate,  
18                   or advanced degree in early childhood edu-  
19                   cation or a related field; or

20                   “(ii) be currently enrolled in a pro-  
21                   gram of study leading to an associate de-  
22                   gree in early childhood education and  
23                   agree to complete degree requirements  
24                   within 3 years from the date of hire.



1           “(D) SERVICE REQUIREMENTS.—The Sec-  
2           retary shall establish requirements to ensure  
3           that individuals who receive financial assistance  
4           under this subchapter in order to comply with  
5           the requirements under section 648A(a)(2)  
6           shall subsequently teach in a Head Start center  
7           for a period of time equivalent to the period for  
8           which they received assistance or repay the  
9           amount of the funds.

10           “(E) LIMITATION.—The Secretary  
11           shall require that any Federal funds pro-  
12           vided directly or indirectly to comply with  
13           subparagraph (A) shall be used toward de-  
14           grees awarded by an institution of higher  
15           education, as defined by sections 101 or  
16           102 of the Higher Education Act (20  
17           U.S.C. 1001–1002).”.

18           (b) CLASSROOM TEACHERS.—Section 648A of the  
19           Head Start Act (42 U.S.C. 9843a) is amended by adding  
20           at the end the following:

21           “(f) PROFESSIONAL DEVELOPMENT PLANS.—Each  
22           Head Start agency and program shall create, in consulta-  
23           tion with an employee, a professional development plan for  
24           all full-time employees who provide direct services to chil-  
25           dren.”.



1 **SEC. 20. RESEARCH, DEMONSTRATIONS, AND EVALUATION.**

2 (a) NEW IDEAS AND APPROACHES.—Section  
3 649(a)(1)(B) of the Head Start Act (42 U.S.C.  
4 9844(a)(1)(B)) is amended to read as follows:

5 “(B) use the Head Start programs to de-  
6 velop, test, and disseminate new ideas and ap-  
7 proaches based on existing scientifically based  
8 research, for addressing the needs of low-in-  
9 come preschool children (including children with  
10 disabilities and children determined to be  
11 abused or neglected) and their families and  
12 communities (including demonstrations of inno-  
13 vative non-center based program models such as  
14 home-based and mobile programs), and other-  
15 wise to further the purposes of this sub-  
16 chapter.”.

17 (b) STUDY.—Section 649(d) of the Head Start Act  
18 (42 U.S.C. 9844(d) is amended—

19 (1) in paragraph (7) by adding “and” at the  
20 end;

21 (2) in paragraph (8) by striking the semicolon  
22 and inserting a period;

23 (3) by striking paragraph (9); and

24 (4) by striking the last sentence.

25 (c) EXPERT PANEL.—Section 649(g) of the Head  
26 Start Act (42 U.S.C. 9844(g)) is amended—



1 (1) in paragraph (1)—  
2 (A) by striking clause (i); and  
3 (B) by redesignating clauses (ii) and (iii)  
4 as clauses (i) and (ii), respectively; and  
5 (2) in paragraph (7)(C)(i) is amended to read  
6 as follows:

7 “(i) Not later than September 30,  
8 2007, the Secretary shall transmit to the  
9 committees specified in clause (ii) the final  
10 report.”.

11 (d) NAS STUDY.—Section 649(h) of the Head Start  
12 Act (42 U.S.C. 9844(h)) is amended to read as follows:

13 “(h) NAS STUDY.—

14 “(1) IN GENERAL.—The Secretary shall use  
15 funds allocated in section 640(a)(2)(C)(iii) to con-  
16 tract with the National Academy of Sciences for the  
17 Board on Children, Youth, and Families of the Na-  
18 tional Research Council to establish an independent  
19 panel of experts which shall review and synthesize  
20 research, theory and applications in the social, be-  
21 havioral and biological sciences and shall make rec-  
22 ommendations on early childhood pedagogy with re-  
23 gard to each of the following:



1           “(A) Age and developmentally appropriate  
2 Head Start academic requirements and out-  
3 comes, including the domains in 641A(a)(B).

4           “(B) Differences in the type, length, mix  
5 and intensity of services necessary to ensure  
6 that children from challenging family and social  
7 backgrounds including: low-income children,  
8 children of color, children with special needs,  
9 and children with limited English proficiency  
10 enter kindergarten ready to succeed.

11           “(C) Appropriate assessments of young  
12 children (including systematic observation as-  
13 sessment in a child’s natural environment, and  
14 parent and provider interviews) for purposes of  
15 improving instruction, services, and program  
16 quality, and accommodations for children with  
17 disabilities and appropriate assessments for  
18 children with special needs (including needs re-  
19 lated to the acquisition of the English lan-  
20 guage).

21           “(2) COMPOSITION.—The panel shall consist of  
22 multiple experts in each of the following areas:

23           “(A) Child development and education, in-  
24 cluding cognitive, social, emotional, physical,



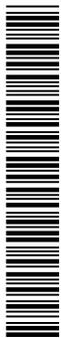
1 approaches to learning, and other domains of  
2 child development and learning.

3 “(B) Professional development, including  
4 teacher preparation, to individuals who teach  
5 young children in programs.

6 “(C) Assessment of young children, includ-  
7 ing screening, diagnostic and classroom-based  
8 instructional assessment; children with special  
9 needs, including children with disabilities and  
10 limited English proficient children.

11 “(3) TIMING.—The National Academy of  
12 Sciences and the Board shall establish the panel not  
13 later than 90 days after the date of the enactment  
14 of the School Readiness Act of 2005. The panel shall  
15 complete its recommendations within 18 months of  
16 its convening.

17 “(4) APPLICATION OF PANEL REPORT REC-  
18 OMMENDATIONS.—The recommendations of the  
19 panel shall be used as guidelines by the Secretary to  
20 develop, inform and revise, where appropriate, the  
21 Head Start education performance measures and  
22 standards and the assessments utilized in the Head  
23 Start program.”.



1 **SEC. 21. REPORTS.**

2 Section 650(a) of the Head Start Act (42 U.S.C.  
3 9845) is amended—

4 (1) by amending the first sentence to read as  
5 follows:

6 “At least once during every 2-year period, the Secretary  
7 shall prepare and submit, to the Committee on Education  
8 and the Workforce of the House of Representatives and  
9 the Committee on Health, Education, Labor and Pensions  
10 of the Senate, a report concerning the status of children  
11 (including disabled, homeless, and non-English language  
12 background children) in Head Start programs, including  
13 the number of children and the services being provided  
14 to such children.”; and

15 (2) in paragraph (8) by inserting “, homeless-  
16 ness” after “background”.

17 **SEC. 22. LIMITATION ON RATE OF FEDERAL FUNDING FOR**  
18 **COMPENSATION.**

19 Section 653 of the Head Start Act (42 U.S.C. 9848)  
20 is amended—

21 (1) by striking the heading;

22 (2) by striking “SEC. 653. The” and inserting  
23 the following:

24 **“SEC. 653. WAGES AND COMPENSATION.**

25 **“(a) COMPARABILITY OF WAGES.—The”;** and

26 (3) by adding at the end the following:



1           “(b) FEDERAL RATE LIMITATION.—Notwithstanding  
2 any other provision of law, no Federal funds shall be used  
3 to pay all or any part of the compensation of an individual  
4 employed by a Head Start agency in carrying out pro-  
5 grams under this subchapter, either as direct or indirect  
6 costs or any proration thereof, at a rate in excess of the  
7 rate then payable for level II of the Executive Schedule  
8 under section 5316 of title 5, United State Code.”.

9 **SEC. 23. LIMITATION ON USE OF FUNDS.**

10           The Head Start Act (42 U.S.C. 9831 et seq.) is  
11 amended by inserting after section 656 the following:

12 **“SEC. 656A. LIMITATION ON CERTAIN USES OF FUNDS.**

13           “Unless authorized by law in effect on the effective  
14 date of this section, no funds made available to carry out  
15 this subchapter may be used—

16                   “(1) to pay journalists or media commentators,  
17 or any organization owned or controlled by a jour-  
18 nalist or a media commentator, to conduct or to sup-  
19 port activities for publicity or propaganda purposes  
20 related to this subchapter; or

21                   “(2) to produce any prepackaged news story in-  
22 tended for broadcast or distribution unless such  
23 story includes a clear notification contained within  
24 the text or audio of such story stating that the pre-



1 packaged news story was prepared or funded by the  
2 Department of Health and Human Services.”.

3 **SEC. 24. EFFECTIVE DATE; APPLICATION OF AMENDMENTS.**

4 (a) GENERAL EFFECTIVE DATE.—Except as pro-  
5 vided in subsection (b), this Act and the amendments  
6 made by this Act shall take effect on the date of the enact-  
7 ment of this Act.

8 (b) APPLICATION OF AMENDMENTS.—The amend-  
9 ments made by this Act shall not apply with respect to  
10 any fiscal year that begins before the date of the enact-  
11 ment of this Act.

